G. R. S. IX-5]

To be preserved

Previous references.
J. Dep. No. 1414-21

File No. 40-19

1929.

Serial Nos. ~~1 to 15~~.
16/13a, 13, 14a & 15

(Prisons.)

Later references.
Pris. 11-22(3-5)
79-22(1-2).
35-26-1
Pri 49-28-162.
47-30(1&2)

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. Sixteen.

Part B for July 1922

SUBJECT.

Irregularities in the matter of discharge of Prisoners in the Bangalore Central Jail and action to be taken on the Conduct of the officers responsible

8(13)

To

The I. G. of Prisons
The Comptroller.

No. J 5727-8 of 17.6.22

directs that the Supdt. of B. C. Jail be warned to be more careful in future in regard to such important matters of Jail administration as release of prisoners & that Mr. W. Wright be reduced to the position of Chief Jailor, Mysore Jail on Rs. 125 as he has been guilty of insubordination.

WD 1888—GPB—16,626—23-7-21

In Nagara Khas
24/7/22

(For Disposal at a Meeting)

No. C. 413

1921-22

GENERAL AND REVENUE SECRETARIAT.

Council Matter.

SUBJECT.

(Clause v of the schedule.)

Irregularities in the matter of discharge of prisoners in the Bangalore Central Jail and action to be taken on the conduct of officers responsible.

CIRCULATED TO THE MEMBERS OF COUNCIL.

By Order,

14th March 1922.

Chief Secretary to Government.

Extraordinary Member of Council.

First Member of Council. Seen.

4794-2/8. 14.3.22 Second Member of Council.

Third Member of Council. Opinion recorded by Member

G. R. S. III-2]

1474

General and Revenue Secretariat. | Pris File No. 4C of 1919.

Serial No.

1) Entd for perusal
2) kind regrets is invited to the portions marked in pencil
D. M. 10/2

4113 / 12.2.20 — II Member

3) Please put up the prison inspection notes - who is the manager of the jail?

Hehe 13/2. D. M. 13/2

m 1.3 18/2 Pris 4)-18.2.20

4) the previous inspection notes put up.
5) ~~In Remarks Regd the manager of the jail & opinions~~
~~H.H.~~ → with reference to para 3

B.J. 16/2 6) From the copy of the Gradation List of the Bussein Dept put up it will be seen that there is no Official known as the Manager in the Central Jail and that the Chief Jailor is the ministerial head.

4288 / 21.2.20 — II Member — D. M. 20/2

7) explanation may be asked for as to why unnecessary inaccuracies in the dates of release (vide question 12) and why the general rule was not followed and kept up to date and inspected - the

NOTE—Contn. sheet.

G. R. S. III—1] 1919-20

GENERAL AND REVENUE SECRETARIAT.

(Prisons

NOTES.

File No. 40-19

FILE HEADING.

Inspection of the B.C. Jail by the I.G. of Prisons

From

The I.G. of Prisons

No. 294/62-20 Dated 7th Feby 1920 Received 10th Feby

Diary No. 1674 Enclos. 1 Spare Copies. — Serial No. 1

BRIEF ABSTRACT OF LETTER.

Forwards a copy of notes of inspection of Bangalore Central Jail, held by him on 30th De and states that a copy of the same has been forw to the Supdt of the Jail for necessary action

NOTES AND ORDERS.

NOTES—First Sheet.

G. R. S. III-2]

General and Revenue Secretariat.

1414

pro File No. 40 of 1914.

Serial No.

Although this report does not mention the deaths printed out in the notes and he should be asked to verify the names at the early dates specified. The fact further information of the Govt.

8) The number of suicides recorded so far in all seems to be large and may require a long establishment for its maintenance. The Inspector General may be asked whether it is not possible to curtail the number

Ans?

9) 24/2 Dy 6 D.M. 25/2

10) Sikhs with d/s A.7 1/3 OB

11) D. Home D.M. 8/3

2 To see G. of Prisons No. 21050 dt 11.3.1920

Calls for an explanation of the officers and officials responsible for the discrepancies in the dates of release of the Prisoners referred to in the answer to question 42

NOTE.—Contn. sheet.

1474
1383

G. R S. III-2]

General and Revenue Secretariat.

pers File No. 40 of 1919.

Serial No. 3

From

The I. G. of prisons to $\frac{581}{95-20}$ G 5th April 1920

forwards Copy of letter no $\frac{383}{F\ 41}$ G 24th march 1920 from the Supdt of the B.B. Jail reporting the occurrence of two Cases of overdetention of prisoners in the B.B. Jail due to the indifference of the Chief Jailor, who is responsible for Correct release of prisoners

12) This is a letter in Continuation of 8 & 9 Regarding the inspection of the B.B. Jail held by the I.G. prisons the 30th Dec 1919

13) On 22 & 24th march 1920, explanation of the officers officials responsible for the discrepancies in the dates of release of the prisoners referred to in the answer to question 42 of the inspection Notes was Called for and has not been received.

14) The prisoners that are now reported to have been over-detained are different from those referred to in the Inspection Notes.

Submitted for orders

B.J.

7/4/1920 7/4

15) Non explanation of the Chief Jailor may perhaps be awaited

D.M. 8/4

W.C. Hamilton

16) Please put up W.F.S. calling for the explanation as desired in Sl. 2 + the orders of the Chief Jus

W

NOTE—Contn. sheet.

G. R. S. III-2]

General and Revenue Secretariat.

pms File No. 40 of 1919 Lt 32 9 15751

Serial No.

Regarding the press cases of over detention now reported

D. M. 8/4

pms 8/4

17) Copy Calling for the explanations Letter

D.M. 8/4 8/4

18) Draft submitted for approval

D. M. 9/4

III Member 19) approved

5584 9.4.20

10/4

20) Issued D. M. 10/4

4 To Dte. G & Prisons

No G 23824 dt 16-4-1920

Calls for an explanation re the cases of over detention of Prisoners in the B.C. Jail.

Sanction 25/4 1 63

The I.G.P. no. 693/95-20 of 18th may 1920

Forwards the explanation of the Chief Jailor in Connection with the Over detentions in the B.C. Jail and states that both the Jailor and the Superintendent are responsible and recommends that their Conduct may be seriously noticed

25 APR 1920

21) The Chief Jailor in his explanation states that the Remission Clerk and the Superintendent are responsible in the affair Action proposed

17/5 Submitted

NOTE—Contn. sheet.

G. R. S. III-2].

General and Revenue Secretariat.

pms File No. 40 of 1919.

Serial No.

22) Mono does not seem to be any good feeling between the Chief Jailor & the Supdt. Both of them seem to be responsible in the matter

Submitted for orders

Chief Secy
III Member

D. M. 16/5

23) It is a, unsatisfactory that the jail authorities should make such mistakes & with such frequency as is brought to light in this file.

24) The Supdt & the jailer should both be severely warned & the 2nd P Shd admonish them that if any repetition of such mistakes will entail severe punishment.

8th member

CRJ 18/5

D. M. 18/5

25) In no case has mistake in class - the one which has you not brought sufficiently into consideration. There is not such a serious mistake as to call for severe notice. Such have the mistakes occurred in these cases. You may kindly note on this. The case of the Chief Jailor's explanation under suspension. This will have to be taken note of.

21/5

6545 19/5/20.

NOTE—Contn. sheet.

G. R. S. III-2

General and Revenue Secretariat.

Pris File No. 40 of 191 9.

Serial No. 6

Jn

the I.G. 9 prisons no 79/95-20 9 27th may 1920 forwards in original letter no 353/7.65 9 19/22 nd march 1920 received from the Supdt 9 the B.C. Jail and the explanation of the Chief Jailor

26) the Supdt in his letter states that the Chief Jailor is neglecting his duties and responsibilities and recommends the removal of the Chief Jailor from Jail Service while the Chief Jailor states that, besides the ill will and grudge that the Supdt bears towards him, he has made absolutely false and groundless report against him.

27) the I.G. states that both the Supdt and the Chief Jailor are not fit to be in charge of a Jail and recommends that both of them have to be removed from Jail Service.

28) the explanation as regards the overdetention of some time prisoners, pointed by the I.G. in his Inspection Notes furnished with his letter of the 7th July 1920 has not been received from the I.G.

Submitted for permanent orders

29) Regarding the overdetention of Abdul Kareem referred to in para 2 of the Supts letter dt. 24.3.20, the Chief Jailor throws the responsibility on the remission clerk; vide para 2 of his explanation dt 24/4/20. Deducting the remissions given the prisoner was due for release on 20.3.20, but he was actually produced for release on 24.3.20. Apparently this was due to a mistake in calculation.

S

NOTE—Contn. sheet.

Submitted for orders

Chief Secy

III Member

G. R. S. III-2)

General and Revenue Secretariat. | Pris File No. 40 of 1919. 2493

Serial No.

30) The papers now sent up by the I.G. Prisons show that the relations between the Supdt & the Chief Jailor have reached a stage beyond any possibility of smoothing over. One or both of them must leave the Dept. The imputations made by the Chief Jailor in his explanation are such that if they are not strictly true he would deserve summary dismissal from Govt service, whereas if they are fully borne out the Supdt should be punished with nearly equal severity.

31) The I.G. of Prisons has not held any independent enquiry & has contented himself with the comprehensive recommendation that both these officers should quit the Depart.

32) Suitable enquiry showing action are called for at once.

3rd member).

C.S.J.
8/6/20

Dm
1876

8135

G. R. S. III-2]

General and Revenue Secretariat. | Prio | File No. 40 of 1919.

Serial No.

33 I agree with the Chief Secretary that strong action is called for in the case. But it will be disastrous to jail discipline if action is taken in the first instance against the Jail Superintendent when the party reported upon is the Chief Jailor and the latter has in self-defence made certain allegations against his superior officer which require thorough investigation. The facts of the case are as follows:-

34 In his inspection notes of the Central Jail The Inspector General of Prisons noted that ~~the~~ the dates of release of 4 prisoners were incorr as compared with the registers &c..... He did not propose any action being taken there but the Government called for explanation of th officers concerned in respect of the said discrepancies. This was on the 11th of March 19 Or the 24th of March 1920, the Superintendent reported to the Inspector General two cases o over-detention which he detected and stated th they had occurred on account of the negligens the Chief Jailor whose duty it was to see to correct execution of the warrants under secti 149 of the Jail Manual. In the one case, th Lakshmipathi (No.5573) the overdetention was one day and that was by reason of the fact tha current year is a leap year was lost sight of

5

NOTE—Contn. sheet.

WD A 1789—GPB—60,000—20-3-19—S.

G. R. S. III-2]

General and Revenue Secretariat. | Pris File No. 40 of 1919.

Serial No.

and the month of February last was calculated to consist of 28 days instead of 29 days. The other case, that of Abdul Karim (No.4223), was due to miscalculation of the days the prisoner was entitled to remission. The Inspector General in forwarding this communication to the Government stated simply that he had called for the explanation of the Chief Jailor and that he would forward the same to the Government. In his explanation, the Chief Jailor admitted his mistake as regards the prisoner Lakshmipathi but as regards the other prisoner Abdul Karim he threw the blame upon the remission clerk and the Superintendent who he said was bound to satisfy himself under section 780 of the Jail Manual that the entries were correct. He went further than this and attacked the Superintendent by saying that there were several cases of over-detentions due to failure of duty on the part of the Superintendent in not calculating properly the amount of remissions the prisoners were entitled to, that he had not brought the same to the notice of the Inspector General as he was responsible for the same and that by his (Jailor's) vigilance he had saved the Superintendent from committing several such mistakes Now under section 149 of the Jail Manual, the Chief Jailor

NOTE—Contn. sheet.

WD A 1789—GPB—60,000—20-3-18—S.

G. R. S. III-2]

General and Revenue Secretariat. | Pris File No. 40 of 1919.

Serial No.

is held strictly responsible for the early release or overdetention of the prisoners, he being the Chief Executive Officer of the Jail (vide section 140). under section 780, the Superintendent has to examine the remission sheets once a quarter and satisfy himself that the entries are up-to-date and correct. The Inspector General of Prisons in submitting this explanation to the Government stated that the explanation of the Chief Jailor was not satisfactory, but instead of promptly calling the Chief Jailor to order for the impertinent and insubordinate tone of his explanation, he recommended the transfer of both the Chief Jailor and the Superintendent. He does not seem to have called for the explanation of the Superintendent which he should have done in making a recommendation of this kind. At least, he has not submitted the explanation to the Government and has made no reference to the same in his communications. He holds the Superintendent strictly responsible though as stated above the Superintendent's duty is to verify the remission sheets once a quarter or oftener. He has not given credit to the Superintendent for the detection of the two cases of over-detention which he can only do at the time the prisoner is brought before him for release. He has reported as if these

NOTE—Contn. sheet.

WD A 1789—GPB—60,000—20-3-18—S.

G. R. S. III-2]

General and Revenue Secretariat. | Pris File No. 40 of 1919.

Serial No.

two cases were detected by him at the time of inspection though no mention is made of the prisoners Lakshmipathia and Abdulkarim in his inspection notes and though the Superintendent has stated in his report dated the 24th March that he found out these cases at the time of tl release of prisoners, which report he (the I.G. has forwarded to the Government without any comment. Para 2 of his letter dated the 1st May is incorrect and entirely misleading. Furthe he does not seem to have carefully gone into the explanation of the Chief Jailor for he says in the opening sentence of his letter that he was forwarding the explanation of the Jailor in connection with six over-detentions in the jail whereas the explanation of the Jailor is confined to the two cases mentioned above. It may be stated here that he has not forwarded the explanation called for in respect of the four prisoners mentioned in the Inspection Notes and the same has not yet been received in spite of reminders sent. Whatever may be the ~~difference~~ degree of responsibility of the Superintendent, the proposal to transfer him was out of all proportion to the gravity of the offence and was calculated to lower the prestige of the Superintendent especially when it was coupled with the proposal to transfer the

NOTE—Contn. sheet.

WD A 1769—GPB—50,000—20-3-18—S.

F. R. S. III-2]

General and Revenue Secretariat. | Pris File No. 40 of 1919.

Serial No.

Jailor. This attitude of the Inspector General must naturally have emboldened the Chief Jailor and no wonder that he became indifferent towards his duties and defied the authority of the Superintendent. The Superintendent therefore reported on the 22nd of March that the Chief Jailor was indifferent to his work and had adopted an attitude of passive resistance and was shirking responsibility. In support of his complaint, he quoted the following specific instances:-

(1) That he sent a batch of prisoners to Mysore without giving them money for their railway fares.

(2) That he was unnecessarily making the Police wait when they brought the prisoners for admission and that in one instance he did not hand over a prisoner of the C & M Station to the Police in time in accordance with the terms of the warrants.

(3) That he would not obey his orders to enter the hours of arrival and departure in the attendance register and

(4) That he would not maintain the cash register though he was ordered to do so.

35 The explanation of the Chief Jailor was asked for and in submitting the same which extends over 17 pages of typed matter, he has delivered a

WD A 1789—GPB—60,000—20-8-15—S.

Serial No.

violent attack upon the Superintendent which demands instant notice. The Inspector General has not called for the explanation of the Superintendent but has recommended that both the Chief Jailor and the Superintendent should be transferred

36 Now as to the charges brought by the Superintendent, I think they have been fully proved and the explanation of the Chief Jailor is quite unsatisfactory.

(1) The Jailor is in charge of the cash and it is his duty and not that of the Superintendent to furnish the escort with money for railway fares.

(2) The Superintendent says that the Superintendent of Police C & M Station has written to say that a prisoner was not handed over to the C & M Station Police in time and the explanation of the Chief Jailor that there might have been some technical difficulty in the matter or that the Head Constable might not have really produced the warrant cannot be believed. The Superintendent says that he has received a communication from the Police Superintendent Kolar Gold Fields that his men were unnecessarily made to wait. The Chief Jailor states that it is not his duty to receive prisoners, but that of the Deputy Jailor forgetting that as the Chief Executive Officer of the Jail he is responsible for the efficient management of the Jail.

NOTE—Contn. sheet.

WD A 1783—GPB—60,000—20-3-18—S.

•G. R. S. III-2]

General and Revenue Secretariat. Pris File No. 40 of 1919.

Serial No.

(3) No doubt, the Jail Manual does not prescribe that the Jailor should note the hours of attendance in the attendance register; but when the Superintendent ordered him to do so under the special circumstances of the case, it was his duty to obey.

(4) Section 792 of the Jail Manual clearly states that the Jailor should maintain the ca register and the contention of the Chief Jailor that it is not his duty to do so is quite wrong and untenable. Section 793 says that the cash book should be balanced daily and initialled by the Jailor and the latter is entirely wrong in saying that the Superintendent should maintain this register. This is another instance in which the Jailor has shirked responsibility. Thus the Jailor has been not only unmindful of his duty but has deliberately ignored the orders of his official superior.

37 As regards the charges brought by the Jailor against the Superintendent, they may be summarised as follows:-

(1) That the relation between them were not good when they were both serving in the Police Department and that the Superintendent has been unnecessarily teasing him (paras 1 to 10).

(2) That he does not follow the advice of the

NOTE—Contn. sheet.

WD A 1739—GPB—60,000—20-3-15—S.

G. R. S. III-2]

General and Revenue Secretariat. | Pris File No. 40 of 1917.

Serial No.

Jailor and his subordinates (para 13)

(3) That discipline has vanished because the subordinates are not well treated and that some of them have been harshly treated (para 19)

(4) That the Superintendent passes unedifying remarks on the person of the female prisoners and that he asked the Sub Assistant Surgeon (para 19) to blister a woman because he thought she was feigning (para 20).

(5) That the Superintendent does not check the remission register.

(6) That the Superintendent has reentertained dismissed warder Nanjappa and has also employed ex-convict Syed Khader (para 26).

(7) That the appeals of prisoners have not been dispatched in time and that many of them have become timebarred. (para 27).

(8) That the Superintendent has never even once inspected the cell of a condemned prisoner and that he put the notorious convict Kannesvara Rama in fetters though he was neither violent nor dangerous. (para 28)

(9) That the Superintendent has been employing some of the warders as his domestic servants and has not, on the plea of want of warders, sent the full complement of prisoners for work in the Palace and the Dewan's Bunglow. (Para 29).

NOTE—Contn. sheet.

WD. A 1789—GPB—60,000—20-3-18—S.

General and Revenue Secretariat. | Pris File No. 40 of 1919.

Serial No.

(10) That the wood contractor (a Mahomedan) has been supplying green fresh felled wood and that the Superintendent would not take any notice of the same. (Para 30).

(11) That the Superintendent does not refer each and every paper to him though the other Superintendents were doing so. (Para 31).

(12) That a bull was sold which was purchased and slaughtered by butchers and he would not sell the same to a Hindu Warder who wanted to save the bull from the butcher's knife. (Para 32).

(13) That he is unfair in his dealings towards his subordinates and that warders Abdul Halim and Abdul Salim are shown indulgence in the matter of leave etc whilst the Hindu Warders are not. (Para 33).

(14) Warder Chinnayya Muttu though pronounced medically unfit has been promoted to the first grade. (Para 33).

(15) Prisoner Malliah 5750 threatened him with violence because he put him in the weaving shed under the orders of the Superintendent showing thereby slackening of discipline in the Jail. (Para 34)

(16) That the Superintendent has made a false remark about a prisoner in the remission register in order to explain away over-detention of a

NOTE—Contn. sheet.

WD A 1789—GPB—60,000—20-3-19—S.

G. R. S. III-2

General and Revenue Secretariat. | Pris File No. 40 of 1919.

Serial No.

prisoner by name Durga (Para 35).

(17) That the Superintendent interrupts the work of the clerks by constantly sending for them in trivial matters which he could decide without their presence. (Para 35)

(18) That he does not grant leave to the subordinates,

(19) That he has ordered the pay of the Store Keeper not to be disbursed until he sends the D.C.B. Statement, and

(20) That the income from the industries has suffered on account of the mismanagement on the part of the Superintendent (Para 18).

38 Most of these charges are imaginary and show that the Chief Jailor is impatient of control and proper restraint. Charges 4, 5, 6, 7, 8, 9, 10, 12, 14, 16, and 20 require explanation on the part of the Superintendent and the same may be called for. They are not of such serious nature as to warrant immediate action being taken without proper enquiry. The conduct of the Jailor has however to be noticed. —The charges brought against him have been fully proved. He has been negligent in the discharge of his duty, has shirked responsibility and has shown a spirit of gross insubordination to constituted authority of the Superintendent and

NOTE—Contn. sheet.

WD A 1789—GPB—60,000—20-3-19—S.

G. R. S. III-2]

General and Revenue Secretariat. | Pris File No. 40 of 1917.

Serial No.

has used intemperate language towards him quite inconsistent with his subordinate position. He has used such expressions towards the Superintende as wanting in his administrative power and discipline, as having made 'false and groundless statements', as being 'unfaithful to his salt, to his King and Rulers of the country', as 'having practised deceit upon exalted persons' (para 29). He is therefore unfit to hold any responsible position under the Government. He may be immediately placed under suspension and the question whether he should be dismissed from service or whether he should be sent back to the Police Depar ment may be considered after the receipt of the explanation from the Superintendent or after the result of any enquiry that may be ordered by the Government becomes known. I may state that the rules of Jail discipline are so strict that the Superintendent has been given the power under section 40 of the Jail Manual to suspend any offic under him.

25/6.

39 Please submit to the Dewan before issue of orders.

Dewan

40. I am not prepared to [illegible] 23/6/20

[illegible]

NOTE—Contn. sheet.

WD A 1789—GPB—60,000—20-5-18—S.

G. R. S. III-2]

General and Revenue Secretariat.

Pris File No. 40 of 1919.

Serial No.

[illegible] Jail. a fair judge. It also seems [illegible] undesirable [illegible] should be made in the matter. See his [illegible] time & a fair [illegible] which has become [illegible] it seems [illegible] [illegible] those two Jail officers together [illegible] Jail. Let a fair [illegible] & Bijapur [illegible] [illegible] & the Bijapur man & B Jail the file may be [illegible] & one of [illegible] & taken as indicated above

[illegible]

25.6.20

3rd member

41. [illegible] Examined [illegible] & resubmit the file [illegible] 26/6/20

[illegible]

26/6.

42 Secretary - resubmit file

[illegible]

26/6

To the Dy of Prisons No. G 28 289 dy 26.6.20.

States that pending further orders in the matter Mr Wright should be transferred immediately to Nysore Jail and

NOTE—Contn. sheet.

G. R. S. III-2]

General and Revenue Secretariat. | Pris File No. 40 of 1919.

Serial No.

the Jailer of the Mysore Jail posted to the Central Jail and the fact reported to Govt

43) Resolved as ordered.

Asst. 26/6. Dewan

44) 26/6/20

45) [illegible] a new S.P. Grain [illegible] annual office, I am requested [illegible] and a detailed enquiry into [illegible] allegations made [illegible] the Hon'ble [illegible] the enquiry [illegible] and [illegible] a report within two months from date [illegible] and [illegible] opinion on the [illegible]

6-8-20

46) 3rd member

47) 7/8/20 D.M. 9/8

9/8 D.M. 10/8

1001 9-8-20

48) [illegible] D.I. 10/8 Asst. 11/8 III Member

49) Draft letter sent for approval

50) approved 11/8 D.M. 11/8

1069 11-8-20

51) [illegible] D.M. 14/8 12/8 M.

NOTE—Contn. sheet.

913 22

General and Revenue Secretariat.

pris File No. 40 of 1919. 1321

Serial No. 8.

From

the I. G. of Prisons. no. 1054/95-20 dt 15th July 1920

In Continuation of his letter no 791/95-20 dt 27th May 1920 reporting another case of overdetention in the B.B. Jail has forwarded the letter of the Supdt along with the warrant of the prisoner

The main file is before the Dewan

Letter in Continuation

D. 17/7/17

Submitted for perusal

D. 17/7/17

III Member

462/17.7.20

may be considered along with the allegations after the report of the Chief Justice is received.

10/7

D. 19/7/17

From

the I.G. of Prisons. no 1056/95-20 dt 22.7.20

forwards the explanation of the Chief Justice in Continuation. The main matter

D. 24/7/20

subject is still before the Dewan

Further irregularities are disclosed & the I. G. Pris promises to send us further reports

O Pris 20 JUL 1920

CHIEF SECRETARIAT III PROTECTION BRANCH. 31 JUL 1920

NOTE—Contn. sheet.

700/27.7.20

III Member

10/7

D. 29/7/17

General and Revenue Secretariat. | Pris File No. 40 of 1917.

Serial No.

10 Do. The S. J. & Persons

No 9 3691 dt 14-8-1920

requests him to hold a detailed enquiry into the allegations made by the Subah and the Chief Jailor and submit a report with his own opinion in the matter.

from

The Asst Private Secy to the Dewan

D.O of 8th October 1920.

Encloses. Enquiries if the report referred to above has been received.

5) The J.G. Persons has been given two months time from 15.8.20 to enquire into the allegations and to submit a report with his own opinion.

D/f reminder to the J.G. and d/f reply to Asst Private Secy

D.
9/10.

53) Please issue to-day.

D. 14.
9/10

To Dr. Sadasivaiah B.A

Asst Private Secy to the Dewan

Camp Salem.

D.O. No 9 4295 dt 9-10-1920.

State that the D. G. has been given two months time from the 15th Aug. 20 to enquire into the allegations and submit a report with his own

NOTE—Contn. sheet.

8641 10543 24

General and Revenue Secretariat. | Pers File No. 40 of 1919.

Serial No.

Opinion in the matter.

Do the S. R. & Pensions

D.O. reminder no 9 1896 dt 9-10-1920

from

The L. G. of Finance

No 1572/158-20 dt 16.10.20

Calls for his opinion on the allegations made by the Supdt and the Chief Jailor of the B.C. Jail one against the other all to be submitted by the end of the 1st week of November 1920

Put up for perusal

D

29/10.

III Member

D. M. 27/10

2835 - 28-10-1920

SECL

SEC 30/10

Reminder no 10.11.20 dt as above

D. M. 31/10

D.O. Reminder to be issued

D

10/11

Issued

D. M. 13/11

The report has since been received.

From

The L. G. of Finance. No 1676/158-20 dt 13.11.20

Submits the detailed report with his own opinion in the matter

Put up for perusal & orders

D

17/11

Chief Secy

III Member

D. M. 19/11

NOTE—Contn. sheet.

25

10965

G. R. S. III-2

General and Revenue Secretariat.

Pris File No. 40 of 1919.

Serial No. 12

From

The Hon'ble J. C. of Prisons
No. 1705/5-21 dt 18/19th Nov 1920.

Submits the explanations of the Superintendent, Chief Jailor and the Remission Clerk in connection with another case of over-detention of prisoner no 5320 Badagal Khimma, by 14 days; in the B.C. Jail, together with his opinion thereon.

(2) The main file regarding certain other cases of over-detention in the B.C. Jail together with the opinion of the J.C. is before the Revy.

Submitted in Continuation

A.T.
28/11
Hon'ble
28/11

(3) Please cast upon the rules defining the duties of the officers & fixing responsibility in such matters. The sections need to be perused upon & placed.

D. M.
25/11

(4) In this case, the Remission Clerk is responsible under Sections 162, 775 & 778 of the Jail Manual and the Superintendent of the Jail under Sections 229, 234, 305, 308(3), 310 & 311, r. 780(2)

Submitted
D.T. 26/11
26/11

and engage in the
reasons copy of
withheld is available
D.M.

NOTE—Contn. sheet.

G. R. S. III-2.

10965 26

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67) In this case the period of over-detention is 14 days. The Remission clerk is primarily responsible for the irregularity. He was obviously his duty to have posted his Registers & Remission Sheet up to date & to have placed them before the Supdt, apart from the latter's responsibility (& vigilance) under the rules.

55) Submitted for orders.

Rem: Sec'y

D. M. 2/11

III Member

57) The previous file is stated to have been submitted with the enquiry. Where this may also be sent.

Lee 29.11.19

Enquiry Sec'y

D. M. 2/12

for read for
as "For. The
is read
as [illegible]

NOTE—Contn. sheet.

G. R. S. III-2]

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(30) The reports under consideration disclose a highly unsatisfactory state of affairs in the - - - principal jail of the State. As rightly observed by late Inspector-General of Prisons Mr. Armugam Mudaliar in his letter No.693/95-20 dated 1st May 1920, "the correct execution of warrants is the most important duty of a Jail."

P.U.D. I

(31) This duty is specifically laid as the principal one both on the Superintendent and the Jailor. Under the Prisons Act, Section 13, the Superintendent is responsible to manage the prison in all matters relating to discipline, labour, expenditure, punishmen and control, and under the general penal Law of the land he becomes directly liable to an action for wrongful confinement in respect of detention of prisoners beyond the period authorised by a duly constituted Criminal Court. It is in order to enabl him to discharge his responsibility adequately that the law has definitely laid down that the - - - - - Superintendent is supreme within the Jail and that all officers in the Prison shall obey his directions (Vide Section 10 of the Prisons Act.) The responsibility of the Superintendent in this respect are - - - further emphasised in The Mysore Jail Manual issued under the authority of the Government. (Sections 27 and 40)

Flag S

NOTE—Contn. sheet.

G. R. S. III-2]

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(10) Section 27 says that the "Superintendent is strictly responsible for x x x the execution of all sentences on the prisoners committed to his charge." and Section 40 gives the Superintendent power to "suspend any officer for misconduct or misdemeanour" reporting the matter at once to the Inspector-General. It will be clear from these that the Superintendent lacked neither legal powers nor executive authority to enforce his will within the Jail so as to discharge his responsibility correctly and in conformity with the law.

(11) As regards the jailor (the chief jailor in this case) the law prescribes that on the one hand he shall be subordinate to the Superintendent in all matters and on the other, shall have power to - - - prescribe the duties on all subordinate officers with the sanction of the Superintendent, and Sections 77, 140, 149, 150 and 151 of the Manual emphasises in greater detail the authority and responsibility of the - - - Jailor. Section 77 prescribes that he shall yield strict and prompt obedience to the Superintendent and treat him at all times with respect and on his part exact similar obedience and difference from subordinate officers in the Jail.

(12) Section 130 reiterates the same provision in specific terms. Section 149 makes him responsible

NOTE—Contn. sheet.

G. R. S. III-2]

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for the custody of all warrants and for strict enforcement of their terms and that no person is on any account released before his time or kept in Jail beyond the termination of sentence."

(13) To discharge this responsibility the Jailor in Section 150 required to go through all the warrants in his possession once a year compare th with the registers and satisfy himself that they are correct. He is also required in Section 151 "to exercise general supervision of the Jail offic

(14) It will be clear from the above that the responsibility for correct execution of warrants is a jointly and severally ~~as regards~~ on the Superintendent a the Jailor. The attempt of each of these officers in the present case to throw the blame on the oth is indeed unseemly and untenable.

(15) Going into the details of the provisions ~~in~~ in the Jail Manual quoted by the respective parti it has to be noted that even according to them th Superintendent is personally responsible for the over-detention of the several prisoners who ought to have been released earlier under the remission system. For, if he had scrutinised all remission sheets once a quarter as required by Section 780 of the Jail Manual these over-detentions would ha been avoided. The fact that the detentions have

? flag Y

NOTE—Contn. sheet.

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occurred is itself a prima facie evidence that the Superintendent has neglected his duty. But this does not release the Chief Jailor from his responsibility in the matter. Sections 149 and 150 clearly show that his responsibility extends even to releases under remissions and that the statement in Section 775 making the remission clerk primarily responsible for intimating the date of release to the Chief Jailor in such cases does not exonerate the Chief Jailor from his responsibility as the Superior - - - Officer to see that the remission clerk is doing his duty and is maintaining the remission sheet - - - - properly. This is the very object of insisting on the comparison of the registers with warrants by the Jailor, prescribed in Section 150. In the latest letter from the Inspector-General No.1705/95-30 dated 18th November 1930, the ~~Inspector-General~~ he reports a further ~~scandulance~~ scandalous instance of over-dentention in which the gracious intention of His Highness the Maharaja in granting ~~such~~ special remission on the occasion of the birth of a prince to His Highness the Yuvaraja has been frustrated. This is a case in which a prisoner who had earned ~~this~~ a special remission in Chitaldrug District Lock Up of two months. According to the rules prescribed in this behalf the Superintendent as well as the Jailor should have, on the admission

P. V. D III

Note—Contn. sheet.

G. R. S. III-2]

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of the prisoner examined his papers and after comparing the entries in the convict register and the history ticket with the warrant endorsed thereon the prisoner's register number, name, sentence, date of sentence and date of release and signed such endorsement (Vide Section 233 and 234). The former section prescribes also that the date of release should be entered in the release register, if the sentence is less than one year and in the remission sheet if it exceeds that period. In the case of transferred prisoners, the receiving jail would have received not only the original warrants but also a nominal roll, the history ticket of the previous jail, his remission sheet and certain other papers (vide Section 440). In the particular case, a remission sheet would have been received. In addition, there is provision for entering these remissions both in the nominal roll (Form No. 37) (Vol.II of the Jail Manual Page 99) and also in the history sheet (Page 101 of Vol.II of the Jail Manual). Section 451 prescribes that the Superintendent of the receiving Jail shall satisfy himself in cases of transfers that the prisoner's documents have been correctly received. Further to guard against mistakes of the kind that have now occurred, Section 311 provides as follows:--

flag T

flag Z

flag H

flag G

flag W.

flag U

NOTE—Contn. sheet.

G. R. S. III-2]

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(c) (1) When a prisoner is transferred to another Jail the total amount of remission earned by him up to the end of the preceding quarter shall be endorsed in his warrant and entered on his history sheet, these entries being signed by the Superintendent.

(r) (2) The receiving Jail shall be responsible that the above information is duly obtained.

It is not possible in the light of the foregoing circumstances to accept the explanations of either the Chief Jailor or the Superintendent as adequate or satisfactory, ~~and it is necessary in the interests of~~

(b) In fixing the responsibility of the Superintendent, one other point has to be noticed. The dictum that an officer is not responsible for details or what is laid upon him by standing order and that it is the duty of the ministerial head to bring ~~the~~ omissions to his notice is hardly unacceptable. A certain degree of delegation to Assistants of responsibility for details is permitted to an officer who has more than one branch of work to attend to and who has to deal with number of Assistants, each of them in charge of those branches. In the present case however Superintendent is a whole-time officer of the

NOTE—Contn. sheet.

G. R. S. III-2]

General and Revenue Secretariat. | pm File No. 40 of 19/9.

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Central Jail and no delegation of his responsibility for the details laid on him is permissible. The case would have been different, though very slightly, if the Superintendent were a part-time officer having other offices to discharge. In that case a certain amount of dependence on the chief Jailor for details would have been permissible.

P.V.D II

7) The other points referred to in Dr. Mylavaganam's letter No.1676/155-20 dated 13th November 1920 are comparatively of less importance. The Superintendent is doubtless wrong in appropriating the services of six warders for orderly duty under himsel The Superintendent is also wrong in assuming that the Chief Jailor should keep the cash book himself. What he has to keep is really a note book showing the amounts ~~xxxx~~ put into the cash chest and the amo removed out of it, each time that was done, irrespective of the particular purposes. ~~for which it was removed.~~ He would be shown in the cash book maintained by the Accountant. The Chief Jailor, however responsible for the non-maintenance of t cash book to the extent to which it indicates slackness in the discharge of his duties as mini terial head.

8) The instances of delay in the submission of app and transfer of prisoners to the Vellore Jail

NOTE—Contn. sheet.

G. R. S. III-2.

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indicate also considerable slackness in management.

The other points are not worth notice.

(a) According to orders issued based on the Dewan's order of 6/8/20, Dr. Myloraganam has held an enquiry & submitted a report. I am inclined to agree with him that the Supdt. as the gazetted offr in responsible charge of the jail should be held primarily accountable for the great slackness in the detention & discharge of prisoners that has been brought to notice. When errors on an extensive scale are shown to exist it is not sound administrative policy to exonerate the responsible offr in charge & throw the blame on subordinate offrs.

(b) The jailor Mr Wright is also blameworthy but I think his liability is more restricted.

(c) The action to be taken ~~regards~~ maybe to remove Mr Obeidulla from the jail charge & post some other suitable offr to the place. Wright may also be suitably punished by reduction in emoluments.

3rd member
Dewan

CSY
11/5/20

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(32) Please put up my inspection notes, pwi Megrue jail and also the Inspector General's letters to submit without delay the report called for about Mr Wright.

Read on Mr 13-4-21

13/4

6/4

D.M. 13/4

(33) Submitted with a draft d.o. sent to the Hy Secretary.

Mr 13/4

(34) Please invite attention to the D.O. to the specific letter calling for the report

D.M.

(35) D.O. reminder in the connected file. pwi 32-20. has issued.

D.M. 14/4

(36) A report from the S.I.G. about Mr Wright has since been received (please see letters file (pwi 32-20)

S.I. 21/4.

(37) pwi 32-20 regarding the Inspection notes of the Mysore Jail by the III member to letters to this

D.M. 23/4. 3rd Member

D.M. 25/4

6058 25/4/21

NOTE—Contn. sheet.

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88) Please send for the official records relating to the question of the Port Trust Extension Scheme and Port Trust letter dated 10/19 Dec. 19 and the Port Trust letter dated 16/19 Jan. 20 -

89) Please ask the Port Trust to send up the Port Trust Central Pool No 1379 dated 22 Sept 1920 to the Port Trust letter 1705/95-20 dated 18/9/19

90) Please see that this papers are submitted in a day or two. A reminder to the Port Trust may go at once - the file to be returned, the matter being urgent in 4 days.

91) The file was received in the Branch direct from the members office. 5/5

92) Please send at once a Send Report - no 7/5/21 of 10 Copies

To be brought in person on 8/5.

8/5

Members order :-

N.B. - S. for withdrawal of proposed 10 days - 10/5 5/5

NOTE—Contn. sheet.

General and Revenue Secretariat. | pvs File No. 40 of 1919.

Serial No.	
136	D.O. from S.G.I. Poona D.O. No. G. 20818 dt 5-5-1921 Calls for certain records
	D.O No 6.47 dated 9-5-21
137	2nd com from S.G.I. Poona Submits the original records as desired in ¶ 13 supra. Submitted as directed by the Secretariat in paras 88 to 90 supra

Sec 11/5 — 11/5

D.M. 11/5

3rd Member

6339 12.5.21

92) I do not see the explanation in original or the copy. Please call for the explanation.

93) Please call for the daily duty Register referred to in para 8 of the I.G.'s letter & note here whether it is an authenticated copy & if it is not authenticated under whose order it was maintained and from what date. The previous register if any may also be called for.

94) The Secretary Inspection book referred to in para 10 may also be called for.

A copy may also be put up whether the Cash Inspection Journal has been maintained

NOTE—Contn. sheet.

Serial No.

Mail Bag Slip
Dated 20/5

Note—Contn. sheet.

X not found perhaps might have been destroyed.

G. R. S. III-2,

39

General and Revenue Secretariat.

pm File No. 40 of 19 21.

Serial No.

From

The I.G. of Prisons D.O. No. 738/158-20 dt 25.5

Submits the explanation of the Asst Supt in original together with the Daily Duty Roster.

The I.G. states that the Monday Inspection Book and the previous duty Rosters will be forwarded after they are received from the Asst Supt of the B.G. Jail

Submitted.

D. 26/5. 2nd Member

D.M. 26/5.

6704/26/5/21

Submitted please see remarks of the I.G. of Prisons and submit the file after necessary orders.

Duty Roster prescribed under Rules 176 (2) of the Jail Manual (Vol I) is not maintained by the Asst Supt.

26/5 M

Draft D.O. letter.

D. 26/5

Draft please as above

D.M. 26/5.

From

The I.G.P. D.O. dt 26.5.21 forwards the Monday Inspection Book (3) & the duty Rosters of B.G. Jail (1-10-17 & 31-1-21)

I agree to draft

D.M. 26/5

To

The I.G.P. D.O. No. G. 22428 dt 26.5.21. Enquires whether the duty Roster was prescribed under his Orders

From

The I.G. D.O. dt 27.5.21 replies that the duty roster is prescribed by Rule 176 (2) of the Jail Manual (Vol I) under his orders

Draft D.O. letter

D. 27/5

2nd Member

D.M. 27/5.

NOTE—Contn. sheet.

6801/27.5.21

40

G. R. S. III-2.

General and Revenue Secretariat. | File No. 60 of 1915.

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3 Offrs D.O. forwarded as ordered by the Asst Secy
D.O. 10/5 Marked Secret as mes-
2875. No bearers of the letters to
the D.G.P. & Supplied but
asked to carry replies.
Dt 10/5
2875.

To

The Supdt. B.G. Jail D.O. No. G. 2268 dt 28-5-21
Enquires about the daily Duty Roster

To

The Supdt Insane Jail D.O. No. G. 2268 dt 28-5-21
Enquires whether any daily Duty Roster
is being maintained in the Insane Jail

To

The I.G. of Pris. no. D.O. G. 2268 dt 28-5-21
Requests to forward the daily Duty
Roster from 8th may to 23rd August 1920. in original

NOTE—Contn. sheet.

G. R. S. III-21

General and Revenue Secretariat. | File No. 40 of 1914.

Serial No.

102 Kind regards invited to heading of the D.-G.'s letter dt 13.11.1920 which shows that the Supdt was not present when the "Rough copy" of the Daily Rosters was produced by the convict

103 No Supdt had apparently no opportunity to scrutinize the Rosters. He which does not bear the signature of any responsible officer of the Jail & there is nothing to show that it is an authentic Register. Besides, it is not clear why a "Rough copy" was prepared & kept, and it is rather surprising that the D.G.P. should have thought fit to send the 'Rough Copy' & the Govt instead of the original.

104 The D.G. P.'s was requested to send the original of the 'Rough Copy' of the Daily Rosters, but he states in reply that the enclosures to his D.O. letter no: 743 dt 26th March "must contain the original daily Rosters". The enclosures referred are 5 in number three of them are Monday Despatch Books & the remaining two are

NOTE—Contn. sheet.

H. R. S. III-21

General and Revenue Secretariat.

Pol. File No. 40 of 1918.

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and Weekly Nominal Rolls which the S. G. perhaps called as "Duty Rosters", though they cannot be treated as such.

105) The original of the Rough Copy' is not forthcoming, and it seems to be very unsafe to place any reliance on such a document. The S. G. would have perhaps done well not to have admitted such evidence in the absence of the Supdt, which is manifestly inadmissible, in such an important enquiry.

106) Again, on one enquiry[x] as to who was the proper custodian of the Rough copy, the S. G. says that the Duty Roster should be either in the custody of the Chief Warder or in the Supdt's office, but that him who produced it whom had come to Bangalore "to give evidence in a case of overdetention of prisoners". Not to mention [illegible] that the Roster did not come from proper custody,

[x] Please see G.O. H & 28.5.21 — H.T.

NOTE—Contn. sheet.

J. R. S. III-21

General and Revenue Secretariat.

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and it seems to have been improper to have received admissions under the circumstances noted in para 2 of the D.C.'s D.O. X

10) The Co working of note that the S.P. has not called upon the Supt to give his explanation on the evidence let in against him at the enquiry held on the 30th & 31st Oct 1920 and further he should have given copies of statements to the Supt asked him to submit his explanations if any, before making a final report in the matter.

10a) On enquiring the Supt whether the Daily Duty Roster is an authorized Register & how long it is being maintained, he sent a copy forwarding the statements of the Chief warders on the subject. This statement shows that the Register in question was not maintained before & that the Roster in Copy was prepared by a Convict under the personal instructions of the Chief Warder.

It is ascertained that no Daily Duty Roster is maintained in the Mysore gaol also (vide D.O. of 29-5-1921 from the Supt, Mysore gail).

NOTE—Contn. sheet.

x 76 : T1

76 : S1

x 76 : X1

G. R. S. III-21

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10) The D. G. hereby says that the Daily Duly Roster has to be maintained by the Chief warders under R. 176(2). Whether such a Register is being actually maintained by so how and how long are questions which have not been considered by the D. G. The proper course for the D. G. was to have called upon the Chief warders to produce the Daily Rosters if any & to have examined him on the points. He has not done so & the procedure adopted by him seems to be open to serious objection.

11) The Daily Duly Rosters previous to 8-5-1919 were called for from the D. G. but he has not forwarded them & they do not seem to have any existence according to the statement of the Chief warders whose evidence has to be accepted as conclusive as to the proper persons to maintain such Rosters under R. 176(2).

11) It is impossible to refrain from observing that the enquiry conducted by the D. G. is one-sided & is opposed to the fundamental notions of natural

NOTE—Contn. sheet.

G. R. S. III-2]

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Serial No.	
	From The I.G. of Prisons D.O. No. 755/58-B dt 25/5/21. With reference to this Office Do. dt. 28/5/21 furnishes the information. From The Supdt. Pb. Jail D.O. dt 28/5/21 In reference to this Office D.O. No. 28/5/21, forwards the Statement of the Chief Warder regarding the daily Duty Roster. From The Supdt of the Mysore Jail D.O. dt 29.5.21. With reference to this Office Do. dt 28/5/21, furnishes the information. as ordered in the margin

justice. He received the explanations of the Suptd on the charges brought against him before the enquiry was held. He allowed evidence to be led in against the Suptd at an enquiry in which the Suptd was admittedly not present & formed his conclusions on the merits of the case without hearing what the Suptd had to say on such evidence.

Submitted for orders.
D. Mc
29/5/21

2nd Member

113 There is a lot of documents in this note about the responsibility of the Supt & Chief Warders, but as far as I understand the matter, the accused has not been called into consideration and has not been examined though I called for explanation in my note dated the 24th May 1920. The explanation of the Supt dated 25th May 1920 is only a statement of facts, but the explanation of the Chief Warder, dated 25-5-20 is

46

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send it in three days. The Asst Secretary will personally see to this.

Veli
30/5

D.O. approved by the Asst Secy has been issued to day.
30/5.21

The I.G. of Prisons D.O. No. G. 228 dated 30.5.21
Requests to submit the explanation of the Supdt of the B.B. Jail in connection with the overdetention of 6 prisoners.
from

The I.G. of Prisons D.O. No 258/158-20 dated 30.5.21
Calls that explanation in three days.
from

The Supdt, B.B. Jail D.O dated 1.6.21.
Forwards a copy of his letter dated 1.6.21 addressed to the I.G. of Prisons and states that he will send his explanation on the evening of tomorrow
from

The I.G. of Prisons D.O. No 766/158-20 dated 1.6.21
Forwards the explanation of the Supdt of the B.B. Jail.

Interim reply despatched.

1147

I discussed with the Member this matter & obtained permission to send for the information noted in the Routine note as it is necessary to put up a note as ordered by the Member.

Please call for the information at once.
D.M.
3/6/21

NOTE.—Contn. sheet.

This was drawn in pencil by the Supdt with the permission of the Supdt.

47

G. R. S. III-2]

General and Revenue Secretariat.

Pris File No. 4/0 of 1914

Serial No.	
	D/L 200 Calling for the information & certain records. Note →
	D. No. 3/6. 6
	Please send to-day D. No. 3/6
	Re G.G.O/Prisons W.O. No. 2382 Dt 3/6/21
	Calls for certain records from
	the Supdt. B.B. Jail. do. no. 101/7.41 dt 4.6.21
	Sends 2 Mark Registers, 4 Admission Registers, 2 Punishment Books. and certain records.
	from
	the I.G. of Prisons. do. no. 775/158-20 dt 6.6.21.
	for which the information called for.

NOTE—Contd.

G. R S. III-2]

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Submitted.

115 The Superintendent's explanation was received from the Inspector General's office on 1st June 1921 and is put up for perusal. It is contained in Superintendent's letter dated 31-5-1921 and is marked 'A' in blue pencil.

A

116 Regarding the question as to how these cases of over-detention occurred, kind reference is invited to the statement submitted by the Superintendent with his letter No.551/F.41 dated 29-4-1920 in which he has explained how the mistakes occurred in the 5 cases referred to by the I.G. in his inspection notes. This statement is marked 'B' in blue pencil. It will be seen therefrom that there was a delay of 3 days in releasing the prisoner in the 1st case, 1 day in the 2nd case, 3 days in the 3rd case, no delay in the 4th case and 1 day in the 5th case and that the delay was invariably due to the omission to bring forward the adjudged dates of release from the old Mark Registers into the new Remission Sheets which are said to have been opened in July 1919 according to the Jail Manual. The 6th case (No.3031 Durga) referred to in the statement is not included in the Inspection Note of the I.G. and has not been reported to Govt but the delay of 4 days in it is said to be due to a similar omission.

NOTE—Contn. sheet

G. R S. III-2]

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117 With respect to two other cases of over detention reported by the I.G., in his letter dated 5-4-1920, it may perhaps be pointed out that it was the Superintendent who detected them when the prisoners were produced before him on 23-3-1920 for being released. In the one case prisoner No. 5573 Lakshmipathi was detained for one day and the mistake was due to the wrong calculation of 28 days instead of 29 days in the month of February 1920 which is a leap year. The Chief Jailor had admitted his mistake in this case. In the other case prisoner No.4223 Abdul Kareem was detained for 4 days, and the Chief Jailor thinks that the Remission Clerk and the Superintendent should be held responsible for this.

118 As regards both these cases, the I.G. says in his letter dated 5-4-1920 that the over-detention was due to the indifference of the Chief Jailor who is responsible under Section 149 of the Jail Manual for correct release of prisoners from the Jail but he changes his opinion and holds both the Superintendent and the Chief Jailor responsible in his subsequent letter dated 1-5-1920.

119 The 8th and the last case of over-detention was that of prisoner No.5320 Dadayal Thimma who was detained for 14 days. Para 3 of Superintendent's letter No.1379/F.41 dated 22-9-1920 shows that the prisoner was admitted on 3-10-1919 and

NOTE—Contn. sheet

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inspected by the Chief Jailor on 10-10-1919 and by the Superintendent then in charge, Viz., Mr. Asirvadam, as Mr.Obeidulla was absent on deputation; and it is worthy of note that the latter's absence at the time is not disclosed in the I.G.'s report (Vide I.G's letter dated 19-11-1920).

120 It was Mr.Obeidulla who detected the over-detention in this case also after his return from deputation (Vide para 1 of his letter dated -- 22-9-1920). This prisoner had been granted some special remission at Chitaldrug and this fact had been expressly stated on the warrant. But it was not noted in the Convict Register at the time of his admission and hence there was no entry on this point in the Remission Sheet which is based on the Convict Register. This seems to have been apparently overlooked (vide) by the clerk who made the entries and the Chief Jailor in whose custody the warrant was (Vide R.149), and the argument of the I.G. who wants to hold the Superintendent responsible for this does not seem to be convincing (Vide para 4 of the I.G's letter dated 19-11-1920).

121 The I.G. seems to have followed a rather unusual procedure in this case. On 22-3-1920 the Superintendent made a report against the - Chief Jailor in which he stated that the latter was very indifferent in his work and has assume an attitude of passive resistance and also furnished

Serial No.

furnished specific instances in support of his report. As the Chief Jailor is subordinate to the Superintendent, the proper procedure was to have called for the explanation of the Chief Jailor through the Superintendent so as to give an opportunity to the latter to offer his remarks while submitting the explanation. But the I.G. directly from the Jailor obtained the Chief Jailor's explanation which is a very lengthy document containing a number of irrelevant matters and also a number of allegations against the Superintendent. The most elementary notions of justice perhaps required that the Superintendent should have been given an opportunity to submit his explanation on the charges brought against him by the Chief Jailor. The explanation given by the Chief Jailor in his defence was treated as a complaint against the Superintendent and, without hearing what the latter had to say in the matter, the I.G. seems to have rushed to the conclusion that the Supdt. was also guilty and condemned him as being unfit to be in charge of the Jail and recommended that both the Superintendent and the Chief Jailor should be removed from the Jail.

122 The Supdt. who was the complainant suddenly found himself in the awkward situation of being an accused and stood condemned without being heard and without knowing what the charges against him were. Kind reference is invited in this connection

G. R. S. III-2]

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H

connection to para 2 of I.G.letter dated 27-5-20, in which he clearly says that he arrived at his decision on the report of the Superintendent and the explanation of the Chief Jailor, and it would have been perhaps well if the I.G. had not adopted such a summary procedure against the Supdt., which naturally led to a good deal of correspondence and resulted in much confusion.

J x

123 Kind reference is invited to the following among the allegations of the Chief Jailor against the Superintendent:-

Allegation No.6(5)

124 This relates to the delay in admitting prisoner Mr.Wright denies it and says that the D.S.P., K.G.F. may be addressed about it. But the Superintendent has forwarded Mr.Pritchard's letter dated 15-3-1920 in original and it shows that the complaint is not unfounded. Besides, the complaint of Mr.N.T.Copaliengar, retired District Judge and Sessions Judge, does not seem to be complimentary to Mr.Wright (Vide his letter dated 23-8-1920)

x K

L

Allegation No.6(14)

Resignation of Mr.Krishna Setty and K.Srinivasa Rao.

125 The records show that these people were unable to cope with the heavy work at the time and to clear the arrears. The I.G's No.1995/160-19 dat

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27-9-1919 shows that Mr.Krishna Setty was dismissed from service by the I.G. He filed an appeal to the Government and it was rejected. The I.C's official Memo No.1727-8/135-19 dated the 21-8-1919 shows that the resignation tendered by K.Srinivasa Rao was accepted by the I.G.

126 It does not seem to be clear how it is open to Mr.Wright to blame the Superintendent for this.

Allegation 6 (16) Signing the Attendance Register.

127 It is difficult to justify Mr.Wright's refusal to note the hours of arrival and departure. The Superintendent himself is doing it and there is no reason why he should not obey the Superintendent's orders.

" 6 (17) Leaving the Jail at night without permission.

128 It is quite possible that occasions might arise at any time requiring the immediate presence of the Chief Jailor. Section 23 of the Prisons Act seems to be imperative and it does not seem to be proper for the Chief Jailor to question the authority of the Superintendent on such matters.

vide Part II, Jail manual page 8.

" 6 (19) Distribution of work.

129 The distribution of the work made by the Superintendent has been approved by the I.C. in his No.295-96/26-07 dated 7-2-1920 and it certainly seems to be impertinent on the part of the Chief Jailor to go behind it and question its

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Flag X

X P

validity. The file of papers received from the Superintendent is put up herewith in original and kind reference is invited to the list* of duties to be performed by the Chief Jailor, which is signed by the I.G. himself. Item 3 relates to careful examination of warrants and prisoners before admitting them into the Jail. Item 5 relates to the arrangement and custody of warrants and enforcement of the contents thereof, and item 36 relates to other work which the Superintendent may order him to do from time to time. Among the registers to be maintained by the Chief Jailor the Cash Book is one of them (R.792) according to the above list.

Allegation 6 (20)

The Cash Book.

130) In the face of the above list issued under the signature of the I.G., the Chief Jailor still maintains that it is not his duty to maintain the Cash Book, though R.792 of the Jail Manual provides that the Chief Jailor himself should maintain it, and has thought fit to include it among his charges against the Superintendent.

Flag 'W' in the linked file

131) Kind reference is invited to the I.G's letter dated 23-7-1920 in this connection which shows that the Cash Book was not written up by Mr. Wright for months together in spite of an order issued by the I.G. and that Mr. Wright refused to maintain the said Register. This seems to be a very bad example to the subordinate staff and his conduct seems to deserve notice.

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132) This also perhaps shows that Mr.Wright is not amenable to control (Vide para 2 of the letter referred to above).

Allegation 6 (32)

Sale of a Bull

133) The file received from the Supdt. is put up herewith. The I.G's order No.1935/125-19 dated 16th September 1919 shows that the I.G. himself sanctioned the purchase of a pair of bulls at a cost of about Rs.200 and directed that the old bull might be sold by public auction and the sale proceeds credited to Government.

134) The bull was accordingly sold by public auction and it is immaterial who purchased it at the auction sale. Warder Lingoji, being an official in the Jail, was not entitled to bid at the sale and the Superintendent seems to be quite right in not selling the bull to the warder. It is not clear why the I.G. finds fault with the Superintendent for the auction of the bull (Vide para 12 of the I.G's report dated 13-11-1920).

Allegation 6 (41)

135) Payment of railway fare to prisoners.

In his letter dated 22-3-1920 the Supdt. has quoted this case as an instance of Mr.Wright's indifference (Vide para 1 of the above letter). The I.G's letter No.1056/159-9 dated 15-7-1920 in File No.159 of 1919 received from the I.G. and put up herewith shows the final orders passed in the matter. The file shows that Mr.Wright omitted to pay railway fare to 9 prisoners who travelled to

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Mysore without tickets. The railway authorities demanded payment of a penalty of Rs.9. Mr, Wright submitted a long explanation in which he attempted to throw the ~~xxxxx~~ blame on the Superintendent - though under Rules 446 and 799 such payments have to be made by the Chief Jailor from the contingent amount which is in his charge. The Supdt. also pointed out how Mr.Wright himself had paid the Ry. fare to eight prisoners on a previous occasion in 1917 as evidenced by an entry in his own hand-writing in the Contingent Register. The I. G.decided that Mr.Wright should pay the penalty of Rs.9 which he failed to do in spite of the repeated orders of the I.C. Thereupon, it was ordered to be deducted from the pay of Mr.Wright.

186/ The I.G's decision is final and unfavourable to Mr.Wright, and no useful purpose is served by including this also among his charges against the Superintendent.

187/ Next as to the report of the Supdt. against Mr.Wright (Vide his letter dated 22-3-1920).

There seems to be a noticeable contrast in the attitude of the two officers towards each - other. As soon as the Supdt. took charge in - March 1919 Mr.Wright unnecessarily apprehended harm to himself on the advent of the Supdt. and at once applied for a transfer to the Police Department thinking that it was impossible for him to remain in the same place with the Supdt." Mr. Wright also says that he brogght this fact to the

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notice of the I.G. in March 1919 alone (Vide allegations Nos.2 and 8). On the other hand, the Supdt. seems to have shown an open mind towards Mr. Wright and entertained a good opinion of the latter in the beginning. In proof of this, he invites reference to his confidential report about Mr. Wright which has been put up for perusal (and it fully supports his Supdt's statement). He watched his work for a year and then reported to the I.G. in his letter dated 25-3-1920 in which he mentioned the fodlowing specific instances:-

(1) Omission to pay railway fare to prisoners.

(2) Unnecessary dilay in the admission of prisoners.

(3) Refusal to make entries in the Attendance Register.

(4) Absence at nights without permission of the Superintendent.

(5) Work distribution and passive resistance.

(6) Refusal to maintain the Cash book.

All these matters have been discussed in the above paragraphs and if the views suggested therein are acceptable, the report of the Supdt. shall have to be considered as sufficiently proved.

Flag 'G'

188 Kind reference is invited to I.G's letter dated 15-7-1920 in the linked file regarding the over-detention of prisoner Rosy alias Velongany.

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The I.G. says that the offence of Mr. Wright has been aggravated by falsifying the records so that it may appear that the prisoner was released on the due date, and has forwarded for the perusal of Government the warrant in original together with the copy of Superintendent's remarks in the Convict Register.

139 The present I.G. also holds that Mr. Wright is responsible for this over-detention (Vide para 7 of the I.G's letter dated 13-11-1920).

140 Mr. Wright says in his explanation in the above case that "the names of this prisoner and 11 other prisoners had not been registered", and also adds that " there was no possible means to know that such a prisoner was in jail and due for release on any given day"

141 This statement speaks for itself, and shows that omissions and over-detentions used to occur in the time of the previous Superintendents also.

142 The most important question for decision seems to be about the responsibility for the over-detentions under report. The Chief Jailor relies on R.780 (2) and states that it is the Supdt. who is responsible, while the Supdt. states that it is the Chief Jailor who is responsible under R.149. A perusal of Chapters IV, X and XX of the Jail Manual seems to indicate that the correct view is to hold both the officers responsible, the primary responsibility

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resting on the Chief Jailor as the Chief Executive officer of the Jail and the ultimate responsibility on the Superintendent who is responsible for proper supervision over the entire staff.

1143) Under the Remission System the award of remissions, both ordinary and special, rests entirely within the discretion of the Supdt.(Vide Rules 299 and 304) who has got powers to order the forfeiture of the remission earned by a prisoner in cases of misconduct and to grant remissions for good conduct. There are about 500 prisoners under the Remission System, and considering the large number of remission sheets in which entries have to be made by a single clerk it does not seem to be unusual for mistakes to occur in calculating the remissions earned by each prisoner. Whatever view is taken about the merits of the present case, it seems to be very desirable to give a ruling fixing the responsibility on some officer to invariably verify the correctness of the Remission Sheets prepared by the clerk so that similar controversies may not arise in future.

1144) Kind reference is invited to the discrepancies in the 5 cases referred to in para 1 of the Superintendent's letter dated 31-5-1920. One typed sheet and eight registers were received with the Supdt's D.O.No.101/F-4/ dated 4-6-1921 and are submitted herewith for perusal. I have underlined the necessary portions in the typed sheet

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which is appended herewith and placed slips in the appropriate places in the Registers to indicate the entries relating to the following five cases:-

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61 16

I. Prisoner No. 5484 Nanjunda: 7 years Fining: Impt
Date of sentence 26-7-1911
Date of release according to warrant 25-7-1918

5484

Remission earned 7 months and 164 days

In the Admission Register, date of disposal : 12-7-1917
Adjudged in Mark Register 12-7-1917

First released on 12-7-17 and brought back and then released on 15-7-17 (Vide Gate Register); Should have been released on 14-7-17. In the Mark Register, 12-7-17 has been altered to 15-7-17 and initialled by Messrs Wright and Palpu.

1246 II. Prisoner No. 1246 Rama : 1 year and 6 months.
Date of sentence 30-5-1916
Date of release 29-11-17

Remission earned 37 days. 9 days cut off = 28 days

In the Admission Register, date of disposal - 23-10-17 Initialled by Messrs Wright and Pani on 23-10-17, but date scored in red ink and altered to 1-11-17 fining the prisoner 9 days remission on the same date i.e. 23-10-17.

1332 ~~III.~~ Prisoner No. 1332 Mallappa Gowda 1 year
Date of sentence 26-6-16
Date of release 25-6-17

Remission earned 24 days.
Released on 4-6-17; Fined 3 days remission on correct date of release i.e., 1-6-17. 1-6-17 altered to 4-6-17 and initialled by Messrs Wright and Palpu.
Punishment dated 2/6/17, but 2 altered to 1/6/17; The subsequent order [illegible] in red pencil dated 2/6/17, but Mr. Wright quite unusually has dated 1/6/17 under his initials.

1366 IV. Prisoner No. 1366 Ahmad 1 year
Date of sentence 27-6-16
Date of release 26-6-17

Remission earned ~~[illegible]~~ 24 days as above ; Fined 2 days remission on the actual date of release i.e., 2/6/17 and corrected to 4-6-17.

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145 These instances seem to show that such mistakes ordinarily occur in making calculations of remissions, especially when they are not checked and verified by any responsible officer and that they are suitably corrected by the Superintendent by the exercise of his discretionary powers under the rules. Such mistakes in remissions, as in the cases now under advertance, do not perhaps seem to be very serious since remissions are granted as a matter of grace by the Superintendent under the Remission rules. Hence, over-detention for a few days will only affect the period of remission granted by the Superintendent and not the substantive sentence of the prisoner which, in fact, is reduced by the remission granted to him. There is no over-detention after the expiry of the substantive sentence in any of the cases, and it seems to be therefore clear that no question of wrongful confinement can possibly arise.

146 This is an aspect of the case which seems to deserve some attention as it is likely to constitute an important factor in the final decision of this controversy.

147 Again, the present Supdt. took charge in March 1919 and within 4 months after, i.e. in July 1919, the old Mark Registers were discontinued and the entries of the said registers were transferred to the Remission Sheets under the new rules, and in this process some omissions took place.

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148) Besides, the prisoners in all the five cases referred to in the I.G's Inspection Notes had been admitted into the Jail long before the present Superintendent was appointed (Vide statement P), and when once the mistakes were made at the time of their admission it was perhaps not easy to trace them in the current Remission Sheets. It is since reported that the transfer of entries from the old Mark Registers to the new Remission Sheets was effected under the orders of the Supdt. and that the latter had asked the Chief Jailor to supervise the work. If so, the Chief Jailor is perhaps to be blamed for not having properly supervised the work in question.

149) It may be of interest to note the following cases in which the prisoners were detained for a considerable period after the expiry of the substantive sentence:-

(1) G.O.No.J.2595-6/Pris.43-06-4 dated 26th February 1907. In this case the prisoner was detained for nearly 1 year and the over-detention affected the substantive sentence passed by the Magistrate and the Government communicated their displeasure to the Jail Superintendent.

(2) G.O.No.J.2644-5/Pris.40-06-3 dated 28th February 1907.

150) In this case there was an illegal detention of the prisoner for 37 days in spite of the receipt of the order of release from the Sessions Judge.

Vide I.G's D.O.No. 775/158-20 dated 6-6-1921.

The file in this case is said to have been destroyed and is not available.

Pris.File 40-06 is put up.

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151) Kind reference is also invited to the remarks made by Major Drake Brockman, I.G.of Prisons in para 7 of his letter dated 16-3-1907 regarding the difficulties of Jail Management.

D Mahadevappa 7/6/192

Z 3

Rue - Secretary 8/6/24
2nd Members

7070 8/6/24

D. M. 8/6

160) His case was specially dealt with in the Chief Secretariat and Mr Balakrishna Iyer has already rendered his opinion. But his opinion is based unfortunately upon misapprehension of facts. The records are not complete as his case and even his explanation after the report was not in very many details in the notes of his Efficiency and practices. The Chief Secretary will need to take his papers & peruse me with his opinion in his several [illegible] made after his report by Chief Jailer

Sd
11/6

D. M. 11/6

Chief Secy

Written by his
P and Report

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(b) I very much regret that owing to pressure of other work and the bulky nature of this record, and the necessity to study the Jail Manual, I could not furnish earlier the note called for from me by the Third Member.

(2) I have now gone very minutely and carefully through the whole file and find myself in almost complete agreement with Mr. P. Mahadevayya in the views expressed by him in his note of the 7th June 1921.

(3) The Inspector General of Prisons during his inspection of the Jail on the 30th December 1919 noticed (i) the over detention of four prisoners, (ii) that the cash book had not been written up after the 15th November 1919 and had not been verified from August 1919 and (iii) that the stock books of raw materials and manufactured articles had not been written up to date and that they had not been checked by the Superintendent. These were reported to Government by the Inspector General of Prisons on the 7th February 1920 and the Government on the 11th March 1920 called for the explanation of the officers and officials responsible.

(4) On the 22nd March the Superintendent made a report in general terms regarding the negligence and indifference of the Chief Jailor Mr. Wright and his obstructive attitude to the Superintendent and recommended his removal from the Jail. The I.G. of Prisons seems to have called upon the Jailor to submit his explanation. The explanation was apparently submitted direct. In this Mr. Wright instead of confining

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himself to relevant matters has indulged in a violent attack on the Superintendent. While evading all responsibility himself for all the defects in the Jail, he throws the blame for all defects on the Superintendent's ignorance, lack of ability and vigilance and to his teasing and disrespectful treatment of subordinates. He also accuses the Superintendent of employing warders as his private servants, of partiality towards Mahamadan servants &c. The I.G. of Prisons forwarded (27th May 1920) both the documents to Government with his opinion that both the Jailor and the Superintendent were unfit to continue in charge of the Jail.

Earlier (5th April 1920) the I.G. of Prisons had reported two more cases of over detention of prisoners reported by the Superintendent on the 24th March 1920 and the Jailor's explanation was submitted on the ~~6th~~ 1st May 1920. The Jailor admits his mistake in one case (due to a mistake as to the number of days in February 1920,- leap year) and as regards the other throws the blame on the remission clerk and the Superintendent.

On the 7th June 1920, the Superintendent reported a case of over detention of a prisoner in November 1917 to show "how unsatisfactory has been the work of the Chief Jailor Mr. W. Wright even in the past". This was reported by the I.G. of Prisons on the 15th July 1920 and the Chief Jailor's explanation submitted with the I.G.'s letter of the 22nd idem. Mr. Wright in his explanation says that the error was due

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to the then clerk and that the then Superintendent had enquired into and disposed of the matter. (Dr. Pan has noted that the clerk who notes the names in discharge register is noted for punishment)

(b) The Government ordered a detailed enquiry by the I.G. of Prisons. Dr. Mylvaganam took the explanation of the Superintendent and also held a personal enquiry at which he gave an opportunity to the Superintendent to cross examine witnesses, but the Superintendent di not avail himself of it. Dr. Mylvaganam's report is totally unfavourable to the Superintendent and practically exculpates the Jailor, except in the case, of over detention of a prisoner, in Novr. 1917 in regard to which he says "technically, the Jailor may be held responsible". Subsequently one more cas of over detention by two weeks was reported on the 19th November 1920. The I.G. of Prisons concludes his report on the case with the remark that "a careless and indifferent officer like the Superintendent is responsible for these irregularities".

(c) The fact that in so many cases prisoners should have been detained beyond their time very naturally gives a most unfavourable impression as to the administration of the Jail and would ordinarily be regarded as sufficient to condemn both the Superintendent and the Chief Jailor who are both undoubtedly individually and personally responsible to see that prisoners are not detailed beyond the expiry of their sentence.

(d) In most of these cases there is however no question of wrongful confinement beyond the period of the

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Court's sentence, as the cases mostly relate to wrong calculations of the remissions ~~to be~~ allowed to the prisoners on special occasions and under the ordinary jail rules.

The Remission clerk is responsible to examine th remission sheet once a month and "at least once a quarter the Superintendent shall examine the remissio sheets and satisfy himself that the entries are up to date and correct" (Art 780(2), Jail Manual). If this had been done ~~(at least after the 1st case of over-detention occurred — subsequent irregularities of the same kind would have been avoided.)~~ quite accurately and thoroughly these errors would not have been possible in most of these cases. Mr. Obeidulla has explained that the mistakes were in the case of prisoners who were admitted before he was appointed Superintendent, that there were errors in the old registers and that these errors were carried forward to the Remission sheets newly introduced in January 1919 under the new Jail Manual and that these errors consequently remained unaltered. A ~~minute~~ careful examination of the ~~xxxxxxxx~~ registers shows that this explanation is correct and although the Superintendent can still be held responsible for not verifying the correctness of the first entires copied into the remission sheets in every case, still the extreme gravity of the case as it first presented itself is very much reduced and I think that as far as these cases are concerned, the I.G.'s ~~of Prisons~~ total condemnation of the Superintendent is ~~wholly~~ unmerited and that no disciplinary

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action beyond a warning to the Superintendent is called for.

171) The Chief Jailor's contention that he is not responsible in such cases cannot of course be upheld He is at the head of the whole subordinate establishment. He is responsible to see that no one is released before his time or is detained toolong (Art 149). It is true that the release register required to be kept by the Jailor (Art 775) will not include the names of prisoners coming under the remission rules and that in the case of the latter the remission sheets are maintained by the remission clerk. (Art. 780); but the Jailor is responsible to exercise supervision over the work of the remission cler as over the rest of the Jail office (Art.151), and cannot therefore evade responsibility. The initial errors ~~xx~~ in the remission sheets would have been avoided if he had satisfied himself that the entires in the old ~~month~~ mark registers were correct.

172) As regards the maintenance of the cash book, the Jail Manual refers to "cash registers" which is expressly required to be maintained by the Jailor. (Art.792), and to a cash book (Art 793). A form is prescribed for the latter (From 30), but not for the former. I think the cash registers is a note (or plus and minus memo) of the contents of the cash chest and distinct from the cash book which should be maintained in the office by the Head clerk. However, when the I.G. of Prisons has approved of a distribution of work under which the cash book has to be maintained by the Jailor, his refusal to maintain i

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is very reprehensible.

175) As regards the other complaints against the Jailor, I think there is ample evidence of insubordination and obstructiveness. There is also no reason to disbelieve the complaint that he ~~would~~ must keep policemen in charge of prisoners waiting indefinitely. (Vide Mr. Pritchard's letter of the 15th March 1920).

176) As regards the Jailor's complaints against the Superintendent, none have been substantiated, except one, viz., that the Superintendent had been employing some of the warders as orderlies in his - - house. This seems to have continued from the 8th May to 23rd August 1919. The Superintendent ~~is explanation~~ explains that "he has not been using any warders as his domestic servants" but that "in the beginning Mr. Wright was sending a patrol to his bungalow during the night" and he "stopped it subsequently". All the other complaints seem to be utterly unfounded and it is very reprehensible that the Chief Jailor should have made such complaints against his superior officer. Mr. Wright's conduct as shown in this correspondence is extremely unsatisfactory. He seems to be totally unamenable to discipline and unfit for the position of a Jailor.

Second Members
Inv. Jail Secs

175) To avoid further delay and as the Case has been noted on fully by the Chief Secretary this file is sent to 2nd Member

8/12/21.

If desired it shall be [illegible]

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I shall be glad if the Secretary who is in charge of this branch will please go thro' the papers & let me have his views early

Reid
16.12.19

X Para 18-81017. Pr. 19.

71 I have gone through the papers and I agree in the view and conclusions of Mr. Balasundaram Iyer. That there should have been eight cases of over-detention (as far as the number can be known) in an institution for which a whole time Superintendent and a Chief Jailor have been provided argues a lamentable state of affairs in the Jail. The Superintendent naturally tries to escape responsibility but as pointed out by Mr. Balasundaram Iyer, the Jail Manual (Sec.27 (1)) definitely makes him responsible for the proper execution of all sentences. The health and discipline of the convict population and the proper execution of judicial sentences are the most important of the duties of the Superintendent and it would be introducing a dangerous principle to uphold the contention that the Superintendent has but a nominal responsibility for the proper execution of sentences. Both the Superintendent and the Chief Jailor must be held responsible for the cases of

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overdetention that have occurred -- the latter primarily and the former, secondarily

12) It does not appear to be quite accurate to say that grant of remissions being discretionary with the Superintendent, these cases of overdetention could not amount to wrongful confinement. In the first place, a convict is entitled to claim remission from the Superintendent if he satisfies certain conditions (Vide Sec.294 of the Jail Manual) "ordinary remission shall be awarded, and secondly, at least in two of the cases under reference the prisoners could have claimed damages for wrongful detention. They are of convict No.5573 who was released a day too late owing to the Chief Jailor's miscalculation of the number of days in the month of February and of Convict No.5320 who had been granted remission in Chitaldrug under the authority of Government Order No. G.1737-87/P.P.29-19-1 dated 24th July 1919 prior to his transfer to the Bangalore Jail, but was over-detained in the Central Jail for 14 days. Both the Superintendent and the Chief Jailor must be held responsible. (The former had not gone on deputation when this convict was admitted into the Central Jail on 3rd October 1919. He was also ~~present~~ when he was released in 1920. The period of deputation was from 8th October to 21st October 1919)

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119) A word must be said about the other irregularities noticed by the Inspector General at the time of inspection. Evidently the cash book was not being maintained properly nor the stock register -- serious defects in an institution, where expenditure of large sums of money is involved. It is for consideration whether a thorough audit of the accounts and the stock is not necessary.

7/1/22

3720 - 174
11.1.22.

2nd Number)

80) After going thro the papers my impression is that both the Supdt. & the Chief Jailor are equally to blame in the matter of over detentions & that the attempt made by both to throw the blame one upon the other is both unseemly & undignified besides being subversive of discipline. Which in a Jail, should be maintained at a very high standard. As regards the allegations made by the Ch. Jailor against the Supdt. I am inclined to think the charges not proved.

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There is no doubt that there has been bad blood between the Superintendent & Ch. Jailor & that this has been the main source of all the trouble. All factors considered it seems necessary to convey to Mr. Reid the displeasure of Govt on the over detention of prisoners which is a most serious matter - & warn him against such gross irregularities & if possible to transfer him to another charge. As regards Mr Wright, I think his conduct has been most unsatisfactory & subversive of all discipline & that his removal from the Prisons dept is very necessary. He may be continued & transferred to the Police, from which department he was transferred to the Prisons dept In passing there are one or two observations of a general nature which I feel it necessary to make. The L.G. [redacted] erred in calling for a report direct from a subordinate officer like the Ch Jailor & dealing with it independently of the Supdt. He also erred, I think, in not holding an enquiry

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promptly, getting the Explanations from the Supdt & the Ch. Jailer & submitting them without delay for the orders of the Govt. Prompt action in a judicial manner, taken at the time would, I feel, have helped to have the tibialism. There is no doubt that the position was greatly aggravated by want of this as well as the Shamis relationship between the Supdt & the chief Jailor.

181) I regret the delay in dealing with this file, but it requires some time to go into this & the running with it in the middle of the regular daily work.

Reed
1.3.22

Diwan) 182) May be Convened for a Meeting of Council.

7.2

Ch/8/22

Ch/8/3

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183) I generally agree with the views of Mr.Matthan The facts of this case have been summarised by me in my note dated the 23rd June 1920. Of a number of charges brought by the Chief Jailor against the Superintendent in self defence reversing thus the position of the Superintendent from that of a complainant to that of an accused, only two have been found to be of some substance by Dr.Mylvaganam who held the enquiry. The one is about what is called the over-detention of prisoners and the other is about the Superintendent employing some warders as his home orderlies.

184) Now as to the First charge, the Inspector General of Prisons does not appear to have taken into consideration the explanation of the Superintendent, and the opinion of Mr. Balasundaram Iyer was based entirely upon the one sided report of the Inspector General. Of all the over-detention the ~~most serious~~ one which has apparently influence the opinion of both these officers is that of the Chittaldrug convict who was transferred to the Bangalore Jail. He was admitted on the 3rd October 1910 and was produced before the Superintendent on the 10th idem. It is rather extraordinary that the Inspector General of Prisons should have overlooked the fact that Mr. Obedulla had gone on deputation two days before and that Dr.Asirvadham was in charge when the prisoner was produced in accordance with the rules before the Superintendent

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The General Secretary seems to think that Mr. Obeidulla should be held responsible for the over-detention of the convict in question, because he was in charge of the jail at the time of the convict's admission. He has apparently over-looked the fact that a convict is not brought before the Superintendent immediately on his admission into the Jail. There are a number of formalities that are to be gone through before a prisoner is brought before the Superintendent. The rules allow a period of one week for the production of the prisoner before the Superintendent, Vide rule 229, and it is only after the prisoner is produced before him that the Superintendent examines the warrant in detail, prepares the history ticket and signs the convict register. Mr. Obeidulla has to be completely exonerated in respect of the over-detention of this prisoner. It is not possible for the Superintendent to detect subsequently a mistake committed at the time of admission, because till the release of the prisoner he gets no opportunity of examining the warrant.

185/ As regards the other prisoners, the over-detention in all the cases except one has been found to be due to an arithmetical error in the calculation of the amount of remission earned by them and the repetition of the error in the new register of remission sheets opened by the Superintendent and the question is whether these mistakes are or are not excusable. There is a lot of noting upon the question of the respective responsibility of the

Note—Contn. sheet.

G. R. S. III-2]

General and Revenue Secretariat. | pw File No. 40 of 1915.

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Superintendent and the Jailor in this matter. But there can be no doubt that the primary responsibility rests with the Remission clerk, and the Chief Jailor and the Superintendent are responsible only secondafil A distinction has been made in the Jail Manual in regard to matters for which the Superintendent and the Chief Jailor are held personally responsible and in regard to those for which they are held responsible in their capacity as Supervising Officers. The calculation of the remissions earned by the prisoners comes under the latter category. Now, if the mistakes committed in calculation are so very numerous as to show a general laxity of administration, then the mistakes become inexcusable and call for notice. Barring the cases of Badagal Thimma of Chitaldrug and Lakshmipathia, the mistakes in calculation are due to a mere accident which are likely to take place under the most careful and vigilant management, when the Remission sheets of as many as 500 prisoners are to be prepared at a time, and since such mistakes have not taken place during the two years that have elapsed since these cases cropped up, they do not in any way show a laxity of management. I have shown that Mr. Obeidulla is no in any way responsible for the over-detention of the Chitaldrug prisoner Badagal Thimma. But the Chief Jailor cannot be exonerated for this. He should have noticed it when he examined the warrant and signed the convict register. As regards the over-detention by one day of Lakshmipathia beyond the period of his legal sentence, both the Superintendent and Jailor are responsible, but as the mistake has occurred in

NOTE—Contn. sheet.

Serial No.

over-looking the fact that the year 1920 was a leap year and that the month of February consisted of 29 days, I consider the mistake to be quite excusable. The case of Velongany ~~accused~~ occurred and in the time of Dr. Pani is more serious than any one of the cases under the Remission Rules, but the I. G. of Prisons holds the Chief Jailor as technically responsible.

186/ As regards the employment by the Superintendent of warders as home orderlies, the Chief Jailor has produced a register which he is not bound to maintain under the rules. It is not a register prescribed by the Jail Manual, nor the one maintained by Mamool. It was newly opened by the Chief Jailor on his own authority and having regard to the fact that he harboured feelings of revenge against the Superintendent for the ill-treatment he had received from him when both of them were in the Police Department, there is no doubt that the Jailor opened the register with the object of creating evidence against the Superintendent. I will not therefore attach ~~my~~ any importance to this unauthorised register of which the Superintendent had no knowledge and which does not tally with the Register of the Chief Warder. As between the Jailor and the Superintendent, I believe the statement of the latter which carries with it a ring of sincerity.

187/ As regards the complaint of the Superintendent against the Jailor, having regard to the fact that the Jailor had complained to the Inspector General against the Superintendent before he took charge, I do not at all wonder that he was sulky and --------

NOTE—Contn. sheet.

G. R. S. III-21

General and Revenue Secretariat. | Pris File No. 40 of 1919.

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obstructive to the Superintendent in the discharge of his duties. The Inspector General of Prisons no doubt exonerates him from all blame. But if his conception of the duties and responsibilities of th Jailor be accepted, there should be no need at all for the appointment of a Jailor. The enquiry which the Inspector General has conducted is perhaps the first of its kind which he has been called upon to make and hence it is as superficial and one-sided as it can possibly be. I have already referred to the fact that in appraising the responsibility for over-detention, he has not taken into consideration the ~~t~~ Explanation of the Superintendent. He has come to a hasty conclusion in regard to the over-detention of the Chitaldrug prisoner and has not cared ~~come~~ to look into the papers of his own office which to whom that Mr. Obeidulla was not in charge of the Jail at the time. Mr. Obeidulla referred to the letter of Mr. N. T. Gopala Iyengar in support of his statement that the Jailor was quite indifferent to his duties. But the Inspector General has brushed aside this letter with the remark that Mr. Wright was not in charge of the Bangalore Jail on the date of the letter. This is no doubt true, but the contents of the letter show, that Mr. N.T. Gopala Iyengar was referring to an incident that took place about a month and a half before when Mr. Wright was certainly in charge of the Jail. With regard to the bull incident also, Dr.Mylvaganam has shut his eyes to the previous correspondence on the subject. His own office records show that

NOTE—Contn. sheet.

Serial No.

his predecessor sanctioned the sale of the bullock as it was old and unserviceable and yet Dr. Mylvaganam says that there was no necessity for its sale. There is no doubt that the Chief Jailor was remiss in the discharge of his duties and did not co-operat with the Superintendent with a view probably to bring him into trouble. Whatever might be the motive about the behaviour of Mr. Wright towards the Superintendent, there is absolutely no justification for the violent and intemperate language he has used towards his official superior. I should have recommended his dismissal, but two years have elapsed since then and he was besides encouraged I think in the attitude he adopted towards his Superintendent by the then Inspector General of Prisons. In the explanation he tendered on 24th April 1920 he had adopted an attitude of insolence towards his official superior and it was the duty of the Inspector General to have promptly called him to order. The second explanation containing the violent attack which has given rise to the present enquiry was taken direct from the Jailor in contravention of the usual official procedure. It should have been returned at once to the Jailor and he should have been asked to ~~correct~~ couch it in a decorous and becoming language. Instead of that, he forwarded it to the Government with his definite opinion without taking the explanation of the Superintendent upon the several allegations made against him. In fairness to the Superintendent, he should have sent

NOTE—Contn. sheet

C413.

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General and Revenue Secretariat. | P/P File No. 40 of 1915.

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the explanation of the latter which was on record along with that of the Jailor. But he did not care to adopt this course with the result that one sided opinions were recorded in the Secretariat in the early stages of the case. I would therefore reduce Mr. Wright from the 1st to the 2nd Grade of Jailors.

7/4

188) Resubmitted as desired by Dewan)

189) Sec's Notes

Is there a Sep. report of the Jail by the Inspectress - or else all the papers. The ms may be placed separate

4

7.4

190) Secretary with compliments to Kindly ordering the inspectress called for (Jail is included in the Inspectress's circle)-

by order

191) Report for 1921 (Dec December 1921) is submitted as ordered

9.1.22

NOTE—Contn. sheet.

To Ch. Sec'y with Compliments (Dewan Secy)

Secy 25/4

Extract from the Proceedings of the - 608th *Meeting of the Council of His Highness the Maharaja, held at Mysore on the* 27th April 1922. *19*

279. Subject. - Clause v of the schedule.

Irregularities in the matter of discharge of prisoners in the Bangalore Central Jail and action to be taken on the conduct of officers responsible.

OPINION OF THE COUNCIL.

192) The Council is of opinion that in the cases of over-detention of prisoners brought to notice no serious blame can be attached to the Superintendent, but the Government cannot absolve him from all responsibility and he may be warned and directed to be more careful in future in regard to such important matters of jail administration.

193) As regards the Chief Jailor, the Council is of opinion that he has been guilty of gross insubordination and that as a punishment he should be reduced to the position of Chief Jailor of the Mysore Jail on Rs.125/- (the maximum of the grade Rs.100-5-125).

(Signed) A. R. Banerji,

Offg: Dewan of Mysore.

"EXTRACT"

Chief Secretary to Government.

C 413.

G. R S. III-2]

General and Revenue Secretariat. File No. of 1921-22

Serial No.

Irregularities in the Central Jail in Connection with the Discharge of Certain Prisoners.

194) Noted with extract of Council Resolution.

2nd Member

195) Final note signed by the member in pencil

196) D. S. N. Subd (Draft + Fair Dewan)

NOTE—Contn. sheet.

Final Note by the Second Member of Council.

Subject:-

Irregularities in the matter of discharge of prisoners in the Bangalore Central Jail and action to be taken on the conduct of the Officers responsible.

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197 During his inspection of the Bangalore Central Jail in December 1919 the Inspector General of Prisons noticed, among other things the over-detention of four prisoners and reported the matter to the Government on 7th February 1920. Government called for the explanation of the officers responsible for the overdetention.

2. 198 The Superintendent of the Jail detected two more cases of over-detention on 24th March 1920 and yet another one on 7th June 1920. He reported the cases to the Inspector General attributing the overdetention to the negligence of the Chief Jailor Mr.Wright, The Inspector General of Prisons having called for the explanation of the Chief Jailor, that officer admitted his mistake in one case and threw the blame as regards the others on the Remission Clerk and the Superintendent. He went further and charged the Superintendent with having suppressed some more cases of overdetention for which he himself was responsible.

3. 199 While holding the explanation of the Chief Jailor for the several overdetentions to be unsatisfactory, the Inspector General held both the Superintendent and the Chief Jailor responsible, without obtaining the explanations of the Superintendent in regard to the points urged against him and recommended that their conduct might be seriously noticed by Government.

4. 200 Mr.Wright having subsequently become indifferent towards his duties and defied the authority of the Superintendent, the latter repo. the matter to the Inspector General making certain specific charges of

irregularity and disobedience to orders on the part of Mr.Wright. The explanation of the latter officer having been called for, he submitted an explanation of over 17 pages of typed matter couched in intemperate language and quite inconsistent with his subordinate position, evading all responsibility for the defects complained of and indulging in a violent attack on the Superintendent and in his turn charging the latter with high-handedness, ill-treatment of subordinates, employment of warders as home orderlies &c. Again the Inspector General did not obtain the explanation of the Superintendent, but recommended that both the officers should be transferred from the Jail.

5. The allegations made by the Chief Jailor against the Superintendent being very serious, Government ordered a detailed enquiry into the case by the Inspector General of Prisons and at the same time transferred Mr.Wright to the Mysore Jail as the relations between him and the Superintendent had become greatly strained.

6. In submitting the records of enquiry held accordingly the present Inspector General of Prisons - Dr. Mylvaganam - exonerated Mr. Wright from all blame in respect of the charges brought against him and found that Mr.Obeidulla was to blame in regard to the overdetention of prisoner and the employment of some warders as home orderlies, but acquitted him of the other grave charges brought by Mr.Wright against him. It was found that Dr.Mylvaganam too had formed his opinion without calling for and taking into consideration the explanation of the Superintendent in regard to the overdetention of prisoners.

7. The explanation of the Superintendent was called for by the Government and the records of the case were carefully and exhaustively examined in the Secretariat. It was found that in two cases only did the detention exceed the term of imprisonment. One of these occurred in Dr.Pani's time and need not be considered here. In the other which occurred in Mr.Obeidulla's time the overdetention was by one day only and that occurred on account of the miscalculation of the number of days in the month of February 1920 by overlooking the fact that that year was a leap year and the month of February consisted of 29 days. The overdetentions in the remaining cases were due to mistakes made in carrying out the Remission

Rules. The most serious of these was an overdetention by 15 days of a prisoner who was sent from Chitaldrug and who was granted remission on the auspicious occasion of the birth of a son to His Highness the Yuvaraja. It was found that Mr.Obeidulla was not at all responsible for this overdetention as he ~~was~~ had at the time of the admission of the prisoner gone on deputation, Dr. Ashirvatham being in charge of the Jail. The other overdetentions were not of a serious nature and were due to the fact that when the new remission sheets were opened under the orders of the present Superintendent, some mistakes were made in transferring the figures from the old good conduct marks register which were not detected at the time.

204) 8. As regards the employment of warders as home orderlies, it was found that the opinion of the Inspector General was based upon an unauthorised and unrecognised register opened by the Chief Jailor behind the back of the Superintendent which lent itself to the suspicion that it was opened by the Chief Jailor with a view to manufacture evidence against the Superintendent.

205) 9. The question was considered at the meeting of the Council held on the 27th April 1922 and the Council passed the following resolution:-

"The Council is of opinion that in the cases of overdention of prisoners brought to notice, no serious blame can be attached to the Superintendent, but the Government cannot absolve him from all responsibility and he may be warned and directed to be more careful in future in regard to such important matters of jail administration.

As regards the Chief Jailor, the Council is of opinion that he has been guilty of gross insubordination and that as a punishment he should be reduced to the position of Chief Jailor of the Mysore Jail on Rs.125/- (the maximum of the grade Rs.100-5-125)."

206) 10. The resolution of the Council may be graciously approved.

2nd May 1922
Bangalore.

MEMBER OF COUNCIL.

G. R. S. IV—6]

Submitted to His Highness.

27) *I submit herewith a Final Note by the* Second *Member of Council on the subject of* irregularities in the matter of discharge of prisoners in the Bangalore Central Jail and action to be taken on the conduct of the officers responsible, *for His Highness' gracious approval.*

Dewan.

4. 5. 42

Record of Cases submitted for the Orders of His Highness the Maharaja

Subject.

CONFIDENTIAL.

H.H.No./76/CB.

D/ 4-5-22.

Irregularities in the matter of discharge of prisoners in the Bangalore Central Jail and action to be taken on the conduct of the officers responsible.

885
208

Order.

~~K R W~~
12/5/22

Chiefsecy
2
205

L
205

3321/g

C 4/13

G. R. S. III-2.]

General and Revenue Secretariat.	File No.	of 1921-22.

Serial No.

(*)

31. All urgent or confidential files returned with His Highness' orders may, in the absence of instructions or indications to the contrary, be ordinarily circulated to the Members of Council for perusal after the issue of orders.

33. The Secretaries concerned should see that orders in the cases referred to above are issued at once and that the files are returned immediately after to the Chief Secretary for circulation to the Members.

34. In all other cases, the files will first be circulated to the Members of Council at headquarters and then sent to the Secretariat concerned for the issue of orders.

209) Circulated to the Members of Council for perusal of His Highness' orders $\frac{\text{before}}{\text{after}}$ issue of orders. (*Vide* Rules 31, 33 and 34 or the Subsidiary Rules for the conduct of business of Council in the Manual of Council Rules and Procedure.)

Chief Secretary to Govt.

Through the Secretary to Government,

.....General..... Department.

6709. 220.
23. 5. 22.

210) Put draft up

FIRST MEMBER OF COUNCIL

211) 24.5.22

SECOND MEMBER OF COUNCIL

THIRD MEMBER OF COUNCIL

NOTE :-Contn sheet.

WD 923—GPB—500—3-11-21

Genl Secy with Compliments.
25/5

G. R. S. III-2.

General and Revenue Secretariat. | Pris File No. 40 of 1914.

Serial No.

212) Draft order submitted for consideration
Gen Secy
Secy
31/5
213) Main Secretariat
Mysore
Secy
27/5
27/5
214) Office
Secy
4/6
5837
2nd December
215) Secretariat
Secy
9/6.
Secy
10/6
13 To
The I. G. of Prisons
" Cuddalore
No 5727-8 dt 17.6.22
Directs that the Supdt. B.C. jail be warned to be more careful in future in regard to such important matters of jail Administration as release of prisoners that the Chief jail Mr. W. Wright be reduced to the position of Chief Jailor, Mysore Jail on Rs 125 as he has been guilty of misbehaviour

NOTE—Contn. sheet.

G. R. S. III-2.

General and Revenue Secretariat. File No. 40 of 19 Cy

Serial No.

216) Mark returning the records and enclosures received in the case from time to time - & send up for as they are no longer required for appeal or other purposes.

case
17/7/22

217) Issue.

218) Does the list include Registers asked to be returned & the Superintendent's letter?

case
18.7.22

219) Submit for.

case
18/7/22

15.

The I.G. of Prisons
P. 586 of 19.4.22

Returns the records, Register Books etc received for use in references in connection with the case of ~~his~~ detention & the irregularities in the B.C. gaol

The records may be filed with the papers of the case.

B Rec

220) Submit for perusal with reference to queries above

221) Seen, thanks.

case
21/7

SECRETARIAT
JUL 1922
BRANCH.

B.

NOTE—Contn. sheet.

Pris. 3]

1474

No. 294/62-20 Encl 1 Office of the Inspr.-Gen. of Prisons in Mysore, Bno 40-1

Dated Bangaloré, 14 February 1920

FROM

Rajakarya Pravina Rau Bahadur
T. V. Arumugam Mudaliar., Esqr., M. B., C. M.,

Inspector-General of Prisons
in Mysore, Bangalore.

To

C. S. Balasundaram Iyer., Esqr., B. A.,

Chief Secretary to the Government

of H. H. the Maharaja of Mysore, Bangalore.

SIR,

As required under para 2 of Government Order No. J. 4680/ Pris. 47-17-1 dated 16th May 1918, I have the honor to forward herewith, a copy of notes of inspection of the Bangalore Central Jail, held by me on 30th December 1919 in accordance with Government Order No. 43/ E. A. G. dated 29th January 1916 and to state that a copy of the same has been forwarded to the Superintendent of the Jail, for necessary action.

I have the honor to be
Sir,
Your most obedient servant,

T V Arumugam

Inspector-General of Prisons.

FROM

THE INSPR.-GEN. OF PRISONS

IN MYSORE, BANGALORE

To

C. S. Balasundaram Iyer Esqr., B.A.,

Chief Secy. to Govt. of Mysore

2 716 Bangalore

Dated 4th February 1920

Despatched

Received 9 FEB 1920

General No. 294/6238 F

No.

Enclosure No. 1

Forwards a Copy of notes of inspection of the Bangalore Central jail held by the Insp. of Prisons on 30-12-19 in accordance with Govt. order No 63/E.A.9. of 29-1-16.

(vide cross sheet)

GPB—300—6-7-14

Y.P. 61

Inspection of the Bangalore Central Jail held by the Inspector-General of Prisons in Mysore in accordance with Government Order No. 43/ E. A. G. dated 29th January 1916.

Date of Inspection. . . . . 30th December 1919.

GENERAL.	
(1) What is the capacity of the Jail?	Jail can accommodate:- Males - Females - Total. 820 - 62 - 882.
(2) What is the population of the Jail on the day of visit ?	Males / Females / Total. Convicts 660 / 27 / 687 Undertrials 76 / 4 / 80 Civil 5 / 0 / 5 Total 741 / 31 / 772
(3) What arrangements exist for conservancy and drainage ?	Dry earth system is in vogue for removing excreta and is working satisfactorily and there are U shaped drains for removing drainage water.
(4) Is water supply wholesome and sufficient ?	Yes, but insufficient at the back gate and Female Prison.
(5) Are articles of rations good in quality and issued and distributed according to prescribed scales ?	Yes.
(6) How do prisoners appear in health and in person ?	Good.
(7) Are their clothing and bedding clean ?	Yes.
(8) Is there a table of task prescribed for each Industry ?	Yes.
Is labour exacted according to the table?	Not in every case.
Is any prisoner suffering from excess of work ?	No.

45

9) What separation of classes exists ?	
(a) Are habituals separated both by day and night from casuals ?	Yes, by night; but as far as possible by day except when they are at work.
(b) Are juveniles separated from adults, both by day and night ?	Yes.
(c) Are female prisoners thoroughly screened from males ?	Yes.
BUILDINGS.	
(10) What is the condition of Jail buildings ?	Old, require constant repairs. D. P. W. authorities have been requested by the Superintendent, to certify as to their fitness for occupation by prisoners.
(11) What is the condition of Hospital quarantine and segregation - sheds ?	Good.
(12) Is accommodation sufficient and suitable for office ?	Yes.
Are the rooms and premises kept clean ?	Yes.
INSPECTION OF OFFICE.	
(13) Is an attendance Register in use? Is the attendance regular ?	Yes.
Who checks the register daily ?	The Superintendent.
(14) How many clerks are working in each branch of the office ?	4 clerks in the office (Proper) and 1 in Stores.
What is the qualification of each clerk ?	Mr. T.C.Govindasami Pillai, 1st. Asst. Jailor. Has passed Madras Lower Secondary Examination. (2) G.Lakshman Rau, Head Clerk. Mysore Lower Secondary and Prisons Examination. (3) B.Krishna Rau, 3rd clerk. Nil. (4) Nanjappa, 4th Clerk. Nil. (5) S. Ramaswamy, 5th clerk. Mysore Lower Secondary.
SERVICE REGISTERS AND LISTS OF ESTABLISHMENTS ETC.,	
(15) Is an up-to-date list of the Establishment both clerical and menial, maintained ?	No.

(16) Is a record of the qualifications and services of the ministerial officers maintained up-to-date ?	No.
(17) Are service Registers maintained both for officials and menials, permanently holding appointments and brought up-to-date ?	In the case of officials and menials permanently holding appointments, service registers are maintained but they are not brought up to date.
(18) Are these registers arranged in order and kept in the records in a box ?	Yes.
Who keeps the key of the box ?	The Head Clerk.
(19) Is an office order book maintained ?	Yes. Jail Order book.
Are orders of leave, punishments Etc., regularly recorded and given effect to ?	Yes.
(20) Is a register of applications for appointments maintained and are selections made therefrom.	No.
(21) Are all appointments made in accordance with rules pertaining to the Department ?	Yes, as far as possible.
DISTRIBUTION OF WORK.	
) Are there lists of duties which each clerk has to do ?	The lists of duties according to Jail Manual are under preparation.
Is the work assigned to each official sufficient without being excessive ?	Not known; but as it is, excessive.
ARREAR LISTS.	
(23) Does every official submit once a month a list of references pending with him ?	No.
Are these lists consolidated by the ministerial head (Jailor) and a consolidated statement submitted by the 5th of the month following?	No. For the last few months.
(24) Are these lists scrutinized carefully by the Jailor and reminders sent promptly where necessary ?	No.
REPORTS AND RETURNS.	
5) Is a statement of periodical reports and returns maintained and kept up-to-date ?	Yes.

Are the due dates and the dates of actual submission and the names of clerks responsible for their preparation noted therein ?	Due dates of submission are noted; but not the actual dates of submission and also the names of clerks responsible.
Is it scrutinized monthly by the Head of the Office ?	Yes.
Which are the returns, if any overdue at the time of inspection ?	(1) Outstanding list, (2) Return of Manufactures, (3) Monthly Returns, (4) Credit Statements, (5) Descriptive rolls and (6) Lists of pending references.
FURNITURE LIST.	
(26) Is a list of furniture maintained ?	Yes. But not in stock book of Civil Stores prescribed in the Rules of Office Procedure.
Are all articles of furniture entered therein together with their cost and date of purchase Etc., of each ?	Yes, but, not the dates of purchase
(27) Is the list verified once in a quarter and the result reported to the Head of the office ?	No.
(28) What is the condition of the furniture ?	Good.
Is a note made in the furniture register of all articles lost or which have become unserviceable?	The question of loss of furniture Etc., is under correspondence.
Is the furniture adequate to the needs of the office or more than necessary ?	Adequate.
What is the condition of the furniture kept ?	Good.
STATIONERY AND FORMS.	
(29) In whose custody is the Stationery ?	3rd Clerk.
Are the Stock and Issue Registers maintained ?	Yes.
Are they submitted monthly for the inspection of the officer in charge	Yes.
Is a verification by stock taking done once a year ?	Yes.
(30) Is a general indent book maintained for monthly issue of stationery?	Yes.
Are old and unserviceable articles sold by public auction and the proceeds credited to Government ?	No occasion.

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(31) Who keeps the stock of forms and registers ?	3rd clerk.
Where are they kept ?	In an almirah in the office room.
Are they properly arranged ?	Yes.
Are all receipts and issues noted in a register ?	No.
(32) Is a register of periodical issue of stationery maintained ?(Vide Rule 36 of the Stationery Rules).	" No.
FILE OF STANDING ORDERS.	
(33) Is a complete set of the Standing orders of Government maintained ?	No.
Are circular instructions received from the Superior authorities - maintained in separate files ?	No, not in separate file.
Are those orders and circulars provided with a table of contents and if bulky also an index ?	No.
LIBRARY.	
(34) In whose charge is the Library ?	Head Clerk.
Where is it kept ?	In the Superintendent's office room.
(35) Is a register kept for entering books and publications and is it written up-to-date ?	Yes.
(36) Is a catalogue of the Library maintained up-to-date ?	There is no catalogue except the list of books and publications.
(37) Are all books in the library correctly labelled and deposited in their appropriate places ?	Not properly arranged.
(38) Are all correction slips pasted in the volumes of enactments, Rules Etc.,?	Yes.
(39) Are any books issued without a receipt or lent to strangers without the permission of the Head of the office ?	No books are issued.
(40) Is a monthly report of books removed and not returned submitted?	No occasion.

) Are cases of loss of or damage to any books reported promptly and - orders obtained for their replacement ?	No occasion.
CORRESPONDENCE AND REGISTERS.	
(42) Are registers properly maintained?	Not entirely satisfactory. * About 80 Registers
What is the number of registers maintained ? (A few entries in the admission and release registers and property registers may be checked)	The dates of release of the following prisoners are found to be incorrect as they do not tally with the entries made in the Admission and Mark Registers and Special remission sheets. 3636 Venktappa. 3623. Lakshmaiah. 3637 Munisamy. 3929. Chickmariga. 4244. Bhima.
(43) Are the registers of inward and outward correspondence properly maintained with references regularly marked?	Yes. References were not being marked previously but it is done for the last two months.
(44) How many of such registers are maintained?	Two sets in the office and one set in stores.
Are a peon book and Tappal book maintained?	Yes.
(45) Are the registers written up neatly?	Yes.
Are the entries concise and clear ?	Yes.
(46) Are all receipts classified in the manner laid down in Rule 11 of the General Rules of Office Procedure ?	Yes.
(47) Is there any delay in the fair copying and despatching of letters ?	No delay.
Are all papers despatched invariably on the day they are signed or the following day?	On the day they are signed.
(48) Is the issue register checked once a month by the Jailor ?	No.
(49) Is an amad register maintained to enter all covers, as they are received in the Jail ?	Yes.
(50) Is a separate petition register maintained ?	No.
(51) Is there any abnormal delay in the disposal of petitions ?	No separate register is maintained.

100

(52) Are all the registers examined perio-dically by the Jailor and the Superintendent and signed by them in token of their inspection ?	Not all the registers; but only some.
(53) Are warrants securely kept in the custody of the Jailor and are dates of release noted therein correct ?	Yes.
CASH AND CONTINGENCIES.	
(54) Are the following books maintained in addition to the General Cash book and Contingent register ? (1) General ledger or classified abstract of the monthly totals of the cash book. (2) Order book for contingent charges.	It is maintained, but not written up from August 1919. Yes.
(55) Are contingent and General cash registers written up-to-date ? Does the cash on hand agree with the book balance ?	Contingent register is written up-to-date; but not General Cash book. The cash cannot be verified with the entries in the General Cash Register as it is not written up-to-date.
(56) What is the amount of the permanent advance ? Is an account of it kept correctly ?	Rs. 1200/- Manufacture Dept. 200/- Jail Proper. Total. 1400/- Yes.
(57) Is there any money on hand awaiting remittance to the Treasury or payment to parties?	Rs.2-13-3 Garden. 0-2-0 Miscellaneous. 5-8-0 Undisbursed Civil amcunt.
(58) Is the Abstract Contingent bill drawn at the end of each month in the manner laid down in Art. 83 of the Civil Account Code and are the initials of the officer obtained?	Money is drawn on Detailed Contingent bills as per recent Government order.
(59) Is the expenditure kept within the Budget grant ?	Yes.
(60) Is the expenditure on office contingencies incurred under proper sanction and on necessity arising therefor?	Yes.
(61) Are the Detailed Contingent Bills submitted with all vouchers within the first week of the succeeding month ?	Detailed contingent bills are submitted to the Treasury Officer for payment of cash instead of A. C. Bills.

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Are all disallowances promptly deducted from the succeeding bills ?	Yes.
Is the account of Service Postage labels correctly written up ?	Yes.
Who keeps them and where ?	3rd clerk, in his office table-drawer.
Does the stock on hand agree with the book balance ?	Yes.
(62) Are salary bills prepared with reference to the Attendance Register, leave register and office order book ?	Yes.
Are drafts of pay bills kept ?	(Acquittance Roll) No.
(63) Is an acquittance roll mainatained ?	Yes.
Are all salaries drawn duly disbursed and proper receipts taken therein ?	Yes.
Is a stamped receipt obtained for payments of over Rs. 20/- ?	Yes.
Is the register examined every month by the Superintendent ?	Yes.
(64) Are the bills and payments entered in the cash book ?	The cash book is written upto 15-11-1919 but not been verified from the month of August 1919.
(65) Is undisbursed pay shortdrawn invariably in the next pay bill ?	Yes.
(66) Is necessary sanction obtained for drawing the pay or allowance of any incumbent requiring sanction of the higher authorities ?	Yes.
(67) Are all amounts drawn on travelling allowance bills disbursed and acquittance taken ?	Yes.
Are drafts of the office copies of the travelling allowance bills maintained in a register ?	Yes.
Is there any undisbursing travelling allowance kept ?	No.
Is undisbursed amount disposed of in accordance with Rules laid down in G.O.No.Fl. 2187-235/S & A 63-15-4 dated 19th November 1915.	No occasion.

78

Have personal claims of officers to pay, and increments discharged without delay ?	Yes.
If any are delayed what is the cause for the same ?	No instances.
(68) Are pension applications prepared and submitted in time ?	Yes.
(69) How many cases are pending and why?	No cases are pending.
RECORDS. (70) Are the records properly kept ?	No.
(71) What system is followed in the arrangement of records, whether subjectwar or chronolajical ?	Subjectwar.
(72) Are all the records sorted according to the prevailing system ?	No.
If not what is the quantity of papers remaining to be sorted ?	The question of entertaining the wholetime Record-keeper is under correspondence.
What time is necessary for completing the sorting ?	
(73) Have Rules been framed for regulating the preservation and destruction of records?	Yes; but not given effect to for want of a Record-Keeper to sort the records.
Have all-time expired papers been eliminated according to Rules?	No.
MANUFACTURE REGISTERS. (74) Are the stock books of raw-materials and manufactured articles up-to-date ?	Stock books are not written up-to-date and the entries of totals of previous months are marked in pencil, and they are not checked by the Superintendent. No items could be checked as the stock books are not up to date
(75) Are raw-materials issued only on indents passed by the Superintendent and are articles manufactured therefrom duly noted in the indents concerned and properly appriced ?	Yes, passed by the Chief Jailor Yes, Not properly appriced.
(76) What is the amount of outstanding debts ?	Rs. 1886-8-10, up to end of June 1919.
Are they being collected regularly	Not regularly.

(77) Are the sale proceeds of manufactured articles given to the Chief Jailor or the Superintendent at the end of each day ?	Yes.
MISCELLANEOUS.	
(78) Is an inspection minute book maintained and written up as laid down in para 4 of G. O. No. 10870-918/ E. A. 43-14-1, dated 10th April 1915?	Yes.
(79) Extent to which points noted for action at previous inspections have been attended to.	Not satisfactory.
(80) Any irregularities or informalities observed in the course of inspection whether connected with the printed questions or not and suggestions, if any, for improving the efficiency of the working of the office ?	The Superintendent is requested to explain the discrepancy observed in the dates of release of prisoners noted against Column. 42.

Inspector-General of Prisons.

G. R. S. VI—G/32]

SUBJECT.....

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Diary No. of letter replied to... 14/4/..

Section Pris

File No. 40-19

Serial No. 2

GENERAL AND REVENUE SECRETARIAT

(Pris)

the *191*

No. G 21050

Date of issue..... 11/3/20. ...

Signed by.. ..... Mr Pm

To

The I. G. Prisons

Sir

With reference to your letter no 296/62-20 dt 7th Feby 1920 regarding your Inspection notes of the B.G. Jail, I am directed to request that the explanation of the officers & officials responsible for the irregularities in the matter of the dates of release of certain prisoners may be obtained & forwarded to Govt. that time to observe that The number of registers prescribed is too large and would require a large establishment for their maintenance and I am enquire

You would please obtain and submit the

referred to in the answer to question 42.

P.T.O.

if it is not possible to curtail the number.

I am to add that the attention of the Supt of the Jail should be drawn to the defects pointed out in the Inspection Notes and that he should be asked to rectify the same at an early date and report the fact for the information of Govt.

I have etc

D. Mu
8/3

for Chief Secy

H.J. Copy to the D.A.B Branch
1/3 for information.

G2108-9 of 11 3/20

List of enclosures.

Copied by

Examined by

WD 1744—GPB—30,000—19-3-19

155

No. 581/95-20. Office of the Insp.-Gen. of Prisons in Mysore,
Exec I. *Dated Bangalore,* 24 April 20.

From Rajakarya Pravina Rau Bahadur
T.V.Arumugam Mudaliar Esqr, M.B.C.M.,
Inspector-General of Prisons in Mysore,
Bangalore.

18327

pm
40-19
3

To
C.S.Balasundaram Iyer, Esqr., B.A.,
Chief Secretary to the Government of H. H.
the Maharaja of Mysore, Gen. and Rev. Depts.

Sir,

In continuation of my letter No.294/62-20 dated 7th February 1920 submitting notes of my inspection on the accounts and records of the Bangalore Central Jail, I have the honor to state that the Superintendent of that Jail, has brought to my notice in his letter No.383/F.41. dated 24th March 1920 (copy of which is herein enclosed for perusal) the occurrence of two cases of over detention of prisoners in the Jail, due to the indifference of the Chief Jailor who is reponsible under Section 149 of the Mysore Jail Manual for correct release of prisoners from the Jail.

I have asked the Superintendent to obtain and forward the explanation of the Chief Jailor in the matter, and I shall submit the same to Government in due course.

I have the honor to be
Sir,
Your most obedient servant,

T.V.Arumugam

Inspector-General of Prisons.

26936

From

The Inspr.-Gen. of Prisons
in Mysore, Bangalore.

To

The Chief Secy. to the Govt. of Mysore,
Gen. and Rev. Depts.

Dated 5th April 20

Despatched

Received 2u/6 '20

General No. 581/95-20
No.

Enclosure No. 1.

Subject.

Forwards Copy of Let No. 383/7.41. of 24th March 20 Reporting the occurrence of two cases of overdetention of prisoners in the Bangalore Central Jail due to the indifference of the Chief Jailor, who is Responsible under section 149 of the Mysore Jail manual for correct Release of prisoners.

SECRETARIAT
GENERAL BRANCH.
1920

GPB—480—10-9-12

Letter No.383/F.41 dated 24th March 1920 from the Superintendent Central Jail Bangalore, to Inspector-General of Prisons in Mysore, Bangalore.

I have the honor to report that yesterday morning when, as usual, prisoners were produced before me for being released, with their warrants and certificates duly initialled by the Chief Jailor, I found that one of the prisoners Viz.,No.5573 Lakshmipathi ought to have been released the previous day i.e., on 22/3/20. This prisoner was sentenced to two months' rigorous imprisonment on 22/11/19 in C.C.No.5 of 19-20 by the Treasury Assistant Commissioner and 1st Class Magistrate of Tumkur. The prisoner was released on bail on 22/12/19 and re-arrested on 22/2/20 and he was therefore 61 days at large. Here the mistake is due to the wrong calculation of 28 days instead of 29 days in the month of February 1920 which is a leap year.

2. Again this morning, among the prisoners produced before me for being released, with warrants, and certificates duly initialled by the Chief Jailor, I found that prisoner No 4223 Abdul Kareem should have been released on 20/3/20. This prisoner was sentenced to 18 month rigorous imprisonment on 13/1/19 by the City Magistrate, Bangalore, in C.C.No.294 of 18-19. This prisoner had special remission of 2 months and 14 days and earned 39 days remission in the Jail.

3. Besides the incompetency of the clerk concerned, the indifference of the Chief Jailor is mostly responsible for the aforesaid overdetentions of prisoners. Under Section 149 of the Mysore Jail Manual, the Chief Jailor is responsible for the strict enforcement of the terms of the warrants, and that no prisoner is, on any account, released before his time or kept in Jail beyond the termination of his sentence.

- - - - @@@@@- - - -

" C O P Y "

5/4/20. H Cunningham

Inspector-General of Prisons.

12/4

106

G. R. S. VI—G/32]

SUBJECT.....

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Diary No. of letter replied to...1827.....

GENERAL AND REVENUE SECRETARIAT

( )

, the *191*

Date of issue.....16/4.....

Signed by.....

Section Pols

File No. 40-G

Serial No. 4

No. G 23824

To

The S. G. of Police

Sir

I am directed to invite reference to this office letter no G-2105-G dated 11th March 1920 and to request that the explanation of the officers and officials responsible for the discrepancies in the dates of release of the prisoners referred to in your letter no 581 dated 5th April 1920, may be obtained and submitted at an early date.

I have the honour to be,
Sir,
Your most obedient servant,

Secretary to Government.

8/2

8/3

8/4

16/4.

105 1995

Pris. 3]

Urgent

Pris 40-1/1—5

No. 693 Encl 95-20

Office of the Inspr.-Gen. of Prisons in Mysore,

Dated Bangalore, 10th May 1930.

FROM

Rajakarya Pravina Rau Bahadur
T. V. Arumugam Mudaliar., Esqr., M. B., C. M.,

Inspector-General of Prisons
in Mysore, Bangalore.

To

C. S. Balasundaram Iyer., Esqr., B. A.,
Chief Secretary to the Government
of H. H. the Maharaja of Mysore, Bangalore.

SIR,

In forwarding herewith the explanation submitted by the Chief Jailor of the Bangalore Central Jail in connection with the six over-detentions in the said Jail, I have the honor to state that the explanation furnished by him is not satisfactory. The Chief Jailor is personally responsible as per Sec. 149 of the Mysore Jail Manual for the safe custody of all warrants and for the strict enforcement of their terms. It is one of the most important duties of the Jailor to see that no prisoner is on any account kept in Jail beyond the termination of his sentence.

2. The Superintendent must have noticed these overdetentions on the day of prisoner's releases. But he neither noticed them and took any action thereon nor made a report of them to the Inspector-General of Prisons until they were detected in the usual course during the inspection of registers and accounts of the Jail by this Office.

3. The correct execution of warrants is the most important duty of a Jail pertaining both to the Jailor and the Superintendent and as such the over-detention of prisoners in these six cases is due to

yrs

29013

FROM

THE INSPR.-GEN. OF PRISONS

IN MYSORE, BANGALORE.

To

The Chief Secretary
to the Government
of H. H. the Maharaja
of Mysore,
Bangalore

Dated 1st May 1920.

Despatched

Received

General No. 693/95-20
No.

Ch Sect
3 MAY 1920

Enclosure No. One

Forwards the explanation furnished by the Chief Jailor of the Bangalore Central Jail re the Six over detentions and States that the conducts of both the Jailor and the Superintendent may be Seriously noticed.

Prisons 21/51 & 23rd

GPB—300—6-7-19

5 MAY 1920

to the negligence of these Officers and is therefore unpardonable.

4. I therefore hold both the Jailor and the Superintendent responsible for this grave negligence of duty and recommend that their conduct may be seriously noticed by Government.

5. Under the circumstances neither of them is fit to be in charge of the Jail one as Chief Jailor and the other as Superintendent.

I have the honor to be

Sir,

Your most obedient servant,

Inspector-General of Prisons.

Ref to 345

111

Submitted.

With reference to the Superintendent's letter No.383/F.41 dated 24th March 1920, stating that the over detention of prisoner No.5573 Lakshmipathi and prisoner No.4223 Abdul Kareem was due to my indifference &c., I beg to state that from the 1st para of the Superintendent's letter, it can be plainly seen that in the case of prisoner No.5573 Lakshmipathi there was a miscalculation in the number of days in the month of February 1920 which happens to be a leap year and only 28 days instead of 29 days were reckoned when calculating the altered date of release when this prisoner was re-admitted into the Jail after having been on bail.

With regard to the overdetention of prisoner No.4223 Abdul Karim, I beg to state that this prisoner was released under the Remission system and as such I have only to produce the prisoner for release on the date intimated to me. From Section 775 clause I, it is perfectly clear that the remission clerk is responsible for the correct date of release of prisoners who have been admitted to the Remission system and whose names are not borne on the release register. Again Section 780 Mysore Jail Manual is perfectly distinct that the remission sheets should be prepared by the Remission clerk and that the Superintendent (clause 3) shall examine and satisfy himself that the entries are correct.

From a perusal of Section 27 Mysore Jail Manual can be seen the extent of the responsibility of the Superintendent regarding the execution of sentences of all prisoners committed to his charge.

From the time this Superintendent has come to this Department, I have saved him several times from over detentions and early releases by my vigilance and bringing matters to his notice and setting them right in the nich of time. None of these cases have been reported by him.

If it had been from a sense of duty and not ill-will he would have reported several other cases of overdetention which have occured, but for the fact that they pertain to prisoners under

the

of his report of this detention
the Remission system. Even within a week or ten days there have been over detention and early release by one year. This latter pertains t prisoner No. 5324 Gubbi Sudan Sab whom the Superintendent released on 27-3-20 and handed over to the Police but whom I brought back from the Jail gate and produced before the Superintendent and pointed out to him that it was an early release by one year and sent the prisoner back to undergo his sentence. The Medical Officer Dr.G.Asirvathum was present when this occured and can speak to it besides it can be plainly seen from the records of this office. Surely it cannot be considered indifference on my part when I have repeatedly saved an officer who has been trying for years to injure me in every way.

The one instance in which I miscalculated owing to it being a leap year has been brought against me and I have been reported for indifference; whereas the number of detentions under the remission system has not been brought to notice.

Under the circumstances I beg that the Inspector-General of Prisons will kindly consider the matter and do me justice.

Besides this it has always been the practice for the Head Clerk in charge of the Admission Register to calculate and initial the altered date of release and also for the Superintendent to do the same. But in this instance this has not been done although there are distinct orders to that effect in the Order book. Vide order dated 29th November 19.

Again on the re-admission of prisoner No.5573 Lakshmipathi he had to be produced before me and the Superintendent for inspection. This latter was done on 17-3-20 and yet the Superintendent has not calculated the altered date of release nor has he initialled the same. In this very case when I inspected this prisoner on 16-3-20 I made acomplaint as to certain irregularities but the Superintendent has taken no action on the same.

From these facts it is clear there has been no neglect or indifference on my part..

24-4-20.

Chief Jailor.

21993

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Pris. 3]

No. 791/95-20. Office of the Inspr.-Gen. of Prisons in Mysore,

Encl: 1 file containing 12 sheets Dated Bangalore, 22nd May 1920.

FROM

Rajakarya Pravina Rau Bahadur

T. V. Arumugam Mudaliar., Esqr., M. B., C. M.,

Inspector-General of Prisons

in Mysore, Bangalore.

To

C. S. Balasundaram Iyer., Esqr., B. A.,

Chief Secretary to the Government

of H. H. the Maharaja of Mysore, Bangalore.

SIR,

In continuation of my letter No. 693/ 95-20 dated the 1st May 1920, I have the honor to forward herewith in original letter No. 353/ F 45 dated 19/ 22nd March 1920 from the Superintendent, Central Jail, Bangalore, bringing to my notice certain irregularities and neglect of duty on the part of the Chief Jailor of that Jail in the discharge of his duties. I have also sent herein enclosed the explanation submitted by the Chief Jailor in the matter.

2. From the report of the Superintendent and the explanation of the Chief Jailor, it is clear that the work in the Bangalore Central Jail is not being carried out satisfactorily. Both the Superintendent and the Chief Jailor are not therefore fit to be in charge of a Jail; and in the interest of Government work, both of them have to be removed from Jail service as I have recommended in my letter referred to above.

I have the honor to be

Sir,

Your most obedient servant,

T V Arumugam

Inspector-General of Prisons.

32180

191

FROM

THE INSPR.-GEN. OF PRISONS

IN MYSORE, BANGALORE.

To

The Chief Secretary

to Govt.

Dated 24th May 1920.

Despatched C/4 Secy

Received 29 MAr 1920

General No. 794/951 Secy.

No.

Enclosure No. 1 file containing 12 sheets.

Forwards in original letter no. 353/7.65. DG 19/22-nd March 1920, Received from the Superintendent Bangalore Central Jail, and his explanation submitted by the Chief Jailor of that Jail, bringing to his notice of D.G. of Prisons, certain irregularities and neglect of duty on the part of the Chief Jailor &c

CHIEF SECRETARIAT
1.1
PROTECTION BRANCH.
1 JUN 1920

Prisons 49-5-20 3

114

F. R. S. VI—G/32]

SUBJECT.....

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Diary No. of letter replied to.....

GENERAL AND REVENUE SECRETARIAT
( )
the *191*

Date of issue..... 26/6

Signed by..... Mr Bri
CSB

Section Prisons
File No. 40-19
Serial No. 7

No. G 28299

To

The Dy of Prisons Mysore

Sir,

With reference to the correspondence ending with your letter no 791/95-20 dy 17-5-20, regarding the strained relationship between the Chief Jailor and the Supdt of the Bangalore Central Jail, I am directed to state that pending further orders in the matter, Mr W. Wright should be transferred forthwith to the Mysore Jail and the power of the Mysore Jail posted to the Central Jail. I am to request that the transfer may be given effect to immediately & the post reported to Govt.

over.

CSB 26/6/20
Chief Secy.

the Jailor Mr R. Halli Rao
Jailor, Mysore Jail
pursuing [illegible] to the
Central Jail

Mano

Chief Secy to Govt

[illegible]

List of enclosures.

Copied by

Examined by

WD 1744—GPB—80,000—19-8-19

No. 1054 Exc 3. OFFICE OF THE INSPR.-GEN. OF PRISONS IN MYSORE,
95-20

Dated Bangalore 15th July 1920.

FROM

C. A. Naniappa Esqr., L.M.S., M.R.C.S.
Etc.,
Inspector-General of Prisons in Mysore,
Bangalore.

To

C. S. Balasundaram Iyer Esqr., B. A.,
Chief Secretary to the Government of H. H.
the Maharaja of Mysore,

Sir,

In continuation of my letter No. 791/95-20 dated 27th May 1920, I have the honor to report another case of over-detention in the Bangalore Central Jail, brought to my notice by the Superintendent of that Jail in his letter No. 714/F. 41 dated 7th June 1920, copy of which is herein enclosed for perusal.

In the present instance, the offence has been aggravated by falsifying the records so that it may appear that the prisoner has been released on the due date. Offences of the kind, if not seriously noticed and due punishment meted out at the proper time, will have a bad influence on the future management of Jails as precedents.

The Superintendent of the Jail who has been called upon to obtain and forward the explanation of the official responsible, has not yet done so though repeatedly reminded in the matter.

I have herewith sent in original the warrant of the prisoner in question to-gether with a copy of Superintendent's remarks in the convict admission register for reference. An urgent reminder has been issued for the immediate submission of the explanation which will be duly forwarded to Government on receipt of the same in this office.

I have the honor to be
Sir,
Your most obedient servant,

Inspector-General of Prisons

From

The Inspr.-Gen. of Prisons
in Mysore, Bangalore.

To

The Chief Secy. to the Govt. of Mysore,
~~Gen. and Rev. Depts.~~

Dated 15th July 20

Despatched

Received Ch Secy's 21

General No. 1051 Sr 6 JUL 1920

No. 95-20

Enclosure No. 3.

Subject.

Reports for taking due notice another case of over-detention in the Bangalore Central Jail with Concerned papers

17/7/1920 17/7/20 30

Pass

PROTECTED 17 JUL 1920

Letter No. 714/F. 41 dated 7th June 1920 from the Superintendent, Central Jail, Bangalore, to the Inspector-General of Prisons in Mysore, Bangalore.

I have the honor to report the following simple case of overdetention with a view to bring to your notice that how unsatisfactory has been the work of the Chief Jailor Mr. W. Wright even in the past. One Rosy alias Velongany was committed to this Jail with a sentence of 8 days' rigorous imprisonment awarded to her on 7/11/17 by the District Magistrate, Civil and Military Station, Bangalore, in C. C. No.149 of 1917. She had also another sentence of one - rupee fine, in default of payment thereof 2 days' simple imprisonment passed by the Bench of Magistrate, Civil and Military Station, Bangalore, on the same date Viz., 7/11/17 in C. C. No.2880 of 1917 In all she had to undergo 10 days' imprisonment from 7/11/17, as she did not pay the fine inflicted by the Bench Court. Her sentence expired on 16-11-17. But she has actually been released from the Jail on 17-11-17 i. e., one day after the due date of release.

2. From the certificate re; the execution of sentence on the warrant of the Bench Court signed by the Chief Jailor Mr. Wright for officer in charge of the Jail, it is seen that the prisoner was released on 16/11/17 and the same date is entered in the convict register too. But from the remarks made in the convict register by the Superintendent and also from the register of the Jail Gatekeeper, it is clear that the prisoner was actually released on - 17-11-17 and not on 16-11-17.

3. From the above circumstances, it may be seen that the prisone was not only overdetained by one day, but also the certificate has not been dated correctly. I forward herewith a copy of the Superintendent's remarks made in the convict register and also the - warrant received from the court of the Bench of Magistrates, Civil and Military Station, (the other warrant is not traceable in the court) for favour of perusal. The warrant may kindly be returned when done with for being returned to the court.

"C O P Y"

Bangalore
Inspector-General of Prisons.
15th July 1920

Copy of remarks made in the Convict Register by the Superintendent against prisoner No. 2842 Rosy alias Velongany.

Discharged on 17/11/17 in the morning. The clerk who posts the names in discharge register is noted for punishment."

(Initialled) A. K. P.
17/11/17.

" C O P Y "

Superintendent,
B. C. Jail.

7/6/20

1321

WD 06—GTB—200—11-4-16

Pris. 3]

OFFICE OF THE INSPECTOR-GENERAL OF PRISONS IN MYSORE,

No. 1096 Encl. 95-20 *Dated Bangalore,* 22 July 1920

SECTION Pris. 40-19 No. 9

FROM

C. A. Nanjappa Esqr., L.M.S., M.R.C.S., Etc.,
Inspector-General of Prisons in Mysore,
Bangalore.

To

C. S. Balasundaram Iyer Esqr., B. A.,
Chief Secretary to the Government of H. H. the
Maharaja of Mysore, Bangalore.

SIR,

In continuation of my letter No. 1054/95-20 dated 15th July 1920, I have the honor to forward herewith the explanation of Mr. W. Wright, Chief Jailor, Bangalore Central Jail, in connection with the overdetention of prisoner Rosy alias Velongany of the Bangalore Central Jail.

The explanation discloses further irregularties and detention of prisoners which will be duly sent up to Government on obtaining further particulars connected therewith.

I have the honor to be
Sir,
Your most obedient servant,

C. A. Nanjappa

Inspector-General of Prisons.

FROM

THE INSPECTOR-GENERAL OF
PRISONS IN MYSORE,
BANGALORE.

2110

To

The Chief Secretary
to Govt.

Dated 22nd July 20

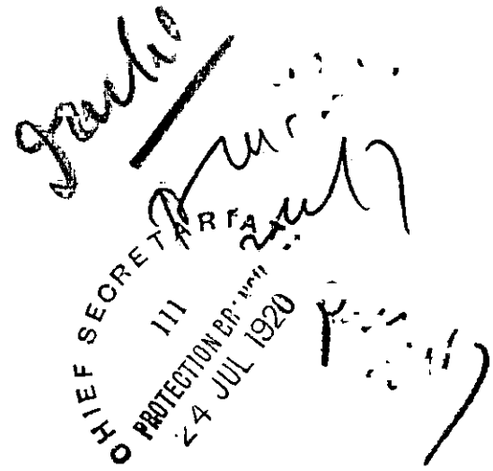
Despatched

Received 23 JUL 1920

General No. 1096
No. 95-20

Enclosure No. 1.

Forwards his explanation of Mr. W. Wright, Chief Jailor Bangalore Central Jail. in connection with his over-detention of Prisoner Rosy alias Velangany of the Bang. Central Jail.



Recd 12 Nov 17

119

Submitted

With reference to the overdetention of prisoner No. 2842 Rosy alias Velangany I beg to state as follows:-

Rosy alias Velangany is a habitual criminal and has been convicted about 20 odd times and since here release on 17-11-17, she has been convicted 4 pr 5 times and is at present in Jail. Early in the morning of 17-11-17 I came to know that prisoner Rosy had not been released. I immediately went to the Clerks office to ascertain the cause of the same. I there found ~~with~~ the name of Rosy with that of 11 other prisoners had not been registered by the clerk and that their warrants had been retained by him and not handed over to me hence the detention which was wholely and solely due to the shear neglect of the clerk ~~in~~ then in charge B.Krishna Rao. I immediately issued a tower chit for the relase of prisoner Rosy and reported the matter to the Superintendent at once and he held an inquiry then and there and had the names of other prisoners which had been omitted registered at once and he censured the clerk for his neglect and recorded the fact o n the admission register itself in proof of his having done so, hence it is perfectly clear that there has been no neglect on my part, but that I had unearthed a plot to discredit the Superintendent and myself by a series of detentions. From the register it can be seen that the name of Rosy was never registered and that the warrant was not handed over to me hence there was no possible means from me or the Superintendent to know that such a prisoner was in Jail and due for release on any given day. The prisoner Rosy alias Velangany was duly placed before the Superintendent and released in the usual course. This incident took place on 17th November 1917 and was fully enquired into at the time by the then Superintendent and disposed of This was prior to the introduction of the working of the New Jail Manual which only came into force from September 1919 nearly two years

years afterwards hence the provisions of the same do not apply. Further more under the old Manual all warrants returned to Courts were signed by the Chief Jailor.

This detention of a few hours occurred and was disposed of 18 months prior to the present Superintendent taking charge of this Jail. From this it can be seen that it has been reported out of sheer ill-will towards me. If it was a sense of duty which caused the Superintendent to report a trivial detention which occurred before his time why then have the marginally noted and following detentions not been reported by him.

Pr. No 3147 Alli Beri

On 16-3-19 while I was in the Superintendent's office a man was ushered in who described himself as the ~~Judiail~~ Judicial Clerk of the Closepet Sub Division and 1st Class Magistrate's Court. He said that his officer had personally sent him to see the Superintendent and had given him a letter which he produced. Head Clerk Krishna Shetty took the letter and handed it to the Superintendent, who opened and read it and passed the letter on to me. He then asked the Head Clerk to bring the Admission Register of prisoners convicted by the Closepet Sub Division Magistrate in Case No.60. The Superintendent then questioned the Judicial Clerk who had brought the letter as to how the detention took place and he replied that it was on account of the Plague and the shifting of the records of the Taluk office &c that the payment of the fine had been overlooked. The Superintendent said never mind I will see to it just wait a few minutes and I will give you a reply. The clerk then went and wainted in the Jail office. Head Clerk Krishna Shetty came back and reported that he could not trace case No.60 but ~~eln~~ only case No.61 and he produced the admission register wherein the case No.was recorded as 61. The Closepet Clerk was sent for; he said the name of the prisoner Rame-Gowda and others was correct but that the case No. only defferred. The Superintendent wrote a D.O. and gave it to the Clerk who took it and went away. On 18-3-19 intimation that the fine in the above case had been

been paid in Court was received and the prisoner Rame Gowda was released. This prisoner No.4099 Rame Gowda was sentenced to 3 months rigorous imprisonment and a fine of Rs.100 in default 3 months rigorous imprisonment on 6-12-18 and his substantive sentence expired on 5-3-19 whereas he was released on18-3-19 after an overdetention of 13 days. This overdetention the Superintendent was in duty bound to have reported but he has not done so and hence hasbecome a party thereto. There are half a dozen witnesses to speak to the fact which occured in the Jail and the Treasury records of the Sub-division can prove when the fine was credited besides the statements and the receipt granted to the parties who paid the fine.

Chief Justice
15-7-1920.

Inspector-General of Prisons

22nd July 1920.

G.R.S. 26]

1418

File No 40-19 pris

Serial No. 10

Diary No. of letter replied to 21993

No. 93691

General and Revenue Secretariat

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To

The I.G. of Prisons

Sir

Date of issue 7886 8.IV.18 14/8

Signed by

With reference to your correspondence ending with your letter No. 791 dated 10968 95-20 95-20 27th May and 2nd July 1920 regarding the irregularities and cases of over detention of prisoners in the B.C. Jail, I am directed to request you to depute some one to go to and hold a detailed enquiry into the allegations made by the Khoja & the Chamars each one against the other, and submit a report within two months from the date of receipt of this communication and forward therewith your opinion in the matter.

To 11/8

Issued

Yours obedly

SUBJECT.

10/8 11/8

pris 40-19-11 10873

From

Dr.H.B. Mylvaganam, F. R. C. S
Inspector-General of Prisons
in Mysore, Bangalore.

To

C. S. Balasundaram Iyer Esqr., B. A.,
Chief Secretary to the Government of H. H. the Maharaja of
Mysore, Bangalore.

Dated 13th November 1920

Despatched

Received

General No. 1676 | 158-20

No.

Enclosure No. 1 file.

Sir,

With reference to your letter No.G. - 3691/Pris 40-19-10 dated 14th August 1920 directing the Inspector-General of Prisons to hold a detailed enquiry into the allegations made by the Superintendent and the Chief Jailor of the Bangalore Central Jail one against the other and also requesting him to submit a report in the matter with his opinion thereon within two months from the date of receipt of the communication, I have the honor to state in continuation of my letter No. 1572/158-20 dated 15th October 1920, that the most serious allegations made by Mr. Wright against Mr. Mahomed Obeidulla are :-

(1) That the Superintendent did not see that prisoners were correctly released from the Jail on due dates according to Law for which he is responsible.

(2) That the Superintendent utilized 6 Warders of the Jail as his domestic servants

servants when he was only entitled to 2 orderlies thereby depriving the services of Prisons labour to the Palace, the Dewan's bungalow and the Residency etc., on account of paucity of warders.

3. That on account of neglect on his part the appeals of prisoners were thrown out as time barred and many prisoners for transporta-tion and transferred to Vellore Jail, were detained in the Jail for about an year or so

4. That the Superintendent treated his subordinates in a most shaby and disrespectful manner in the presence of convicts on account of which, the descipline in the Jail has vanished.

5. That the Superintendent sold a fat bull of the Jail at an auction sale held by him for the purpose to a Mahommadan Butcher at a low price of Rs. 63/- refusing to give it to a Hindu, though it was he who offered the price.

6. The Superintendent did not attend to the Annual Stock taking on the due dates.

2. The rest of the allegations are of - minor importance and deal with discipline and management of the Jail, the treatment of subordinates and Contractors and of the ill-will existing between Mr. Mahomed - - Obeidulla and Mr. Wright.

3. Mr. Mahomed Obeidulla, the Superintendent, has furnished me with a written explanation for all the allegations made against him by Mr. Wright. I herein enclose a copy of the same for favour of perusal. From it, it will be seen that the Superintendent, has in his turn fixed all the responsibility on the

the Chief Jailor, Mr. Wright, for the over-detention of prisoners, non-disposal of appeals and lack of discipline in the Jail and for not maintaining the Cash Book etc., and further states that he has not been using any Warders from the Jail as his domestic servants and that his treatment of Officials was not harsh and in the case of the auction of the Jail bull that he was not aware that the highest bidder was a butcher.

4. I invited both the Superintendent Mr. Mahomed Obeidulla and the Chief Jailor Mr. Wright from Mysore, to be present at the enquiry which was held in this office on the 29th and 30th ultimo. My chief reason for inviting the Superintendent was to give him a chance to prove his innocence by cross-examining the witnesses brought forward by Mr. Wright to substantiate his allegations made against the Superintendent. But Mr. Mahomed Obeidulla excused himself on the ground that he had already submitted his explanation and therefore he did not wish to be present at the enquiry. The following witnesses were summoned to appear before me, Viz.,

Enquiry on 29-9-1920

* 1. Mr. L. Narasimhaiah, Deputy Jailor,
2. " T.C.Govindasamy Pillai, Senior Clerk in charge of Stores,
3. " P. Krishna Setty, Dismissed Head Clerk,
* 4. " K. Sreenivasa Rau, Clerk, Central Jail, Bangalore (Resigned)
5. Lingoji, Warder, Bangalore Central Jail.

1. That the Superintendent did not see that prisoners were correctly released from the Jail on due dates according to Law for which he is responsible.

In Sections 233, 234, 162, 310, 775, (Clause 1), 780, (Clauses 1.2 and 3 of the Jail Manual) the duties of the Remission

Remission Clerk and the Superintendent - are clearly defined and if these Rules have been carried out, by these officers, there would have been no overdetentions at all. The Chief Jailor is directly responsible for the release of prisoners - undergoing sentence of 1 year and less; but with regard to other prisoners, he is responsible for their not being kept in Jail beyond the termination of their sentence (Vide Section 149) Mysore Jail - Manual.

6. By " Sentence ", I understand it to refer to the original sentence passed on the prisoners in a Court of Law and it has no reference to the remissions gained in the Jail according to Jail Rules. The remission earned by the prisoners after their incarceration in the Jail, has to be entered in the Remission Sheet by the Remission Clerk every month and verified by the Superintendent every quarter. But in the case of Short-term prisoners undergoing sentence of one year and less, the Chief Jailor is solely responsible for - their correct release (Section 775 Clause 2). It has been alleged by the Superinten -dent that as Ministerial Head the Jailor is also partly responsible for their over-detention. To my mind, the responsibility for this particular omission cannot be - placed on the Jailor who is a subordinate Officer and therefore it is not possible for him to dictate to his superior what his duties are, especially, when there is estranged

estranged feeling between the two. Mr. Wright has, in his capacity as the Ministerial Head of the Jail, frequently - brought to the notice of the Superintendent in writing several discrepancies in the administration of the Jail, which received scant attention from the Superintendent. It was stated at the enquiry that he was in the habit of retorting his subordinate officers with such remarks as " I know my business", " You mind yours", and such like remarks whenever any suggestion was made to him. As Ministerial Head he (Chief Jailor) can only point out these discrepancies to his - superior officer, which he has done, as proved by the Monday Inspection Book, in which I have myself seen Mr. Wright's remarks. He could not have done anything more. Therefore I failed to see how he can be held responsible for the overdetention of prisoners. In my opinion the Remission Clerk and the Superintendent are solely at fault.

7. The overdetention of the prisoner woman Velangani, who should have been released on the 16th November 1917, but was released on the 17th November 1917, and whose case has just been unearthed by the present Superintendent has no - bearing on the present case. This omission should have been reported by the former Superintendent at the time when it was detected. But Mr. Wright explains

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explains that the prisoner was sentenced for 10 days imprisonment and that this overdetention was due to the negligence of the clerk in charge, namely B. Krishna Rau, who failed to register her name in the Admission Register in time and to return the warrant to Mr. Wright before the date of release. The procedure adopted in the Jail is for the clerk to make the necessary entries from the Warrant in the Admission Register and then pass the warrant to the Chief Jailor. So technically, the Jailor may be held responsible for this omission.

2. That the Superintendent utilized 6 warders of the Jail as his domestic servants when he was only entitled to 2 orderlies and thereby depriving the services of prison labour to the Palace, the Dewan's Bungalow and the Residency etc., on account of paucity of warders.

(8) I find from the Daily Duty Roster dated 8th May to 23rd August 1919 produced by Mr. Wright and from the statement of several witnesses produced, that the Superintendent has been systematically utilizing the services of six warders from the Jail Warder Establishment for his domestic purpose, at the expense of their legitimate duties as Jail Warders in charge of out-door gangs. The Superintendent is only entitled to two orderlies whom he was not able to engage owing to their pay being too small as he says. But this fact does not entitle him to the services of six warders. This is a very serious charge against the Superintendent and the Government should deal with him adequately.

3. That on account of neglect on his part, the appeals of prisoners were thrown out as time barred and many prisoners for transportation and transfer to Vellore Jail were detained in the Jail for about an year or so.

9. There is no doubt after my perusal of the registers produced by Mr. Wright that appeals of prisoners were not sent in

in time and hence their appeals were rejected as time barred. Further the prisoners who had to be transferred to Vellore Jail, had been kept in this Jail for several months after they were sentenced.

Prisoner No. 4663 was detained here for one year.
" " 4667 -do- -do- -do-
" " 4668 -do- -do- -do-
" " 4883 was detained for 10 months.
" " 5779 was detained for three months.
" " 5073 was detained for six months.

10. Mr. Wright has further proved - from the Monday Inspection Books, that he had brought this delay to the notice of the Superintendent week after week and - therefore, Superintendent cannot reasonably attach any blame to Mr. Wright. The Superintendent is therefore to be blamed for this delay.

4. That the Superintendent treated his subordinates in a most shaby and dis-respectful manner in the presence of convicts on account of which the discipline in the Jail has vanished.

11. The witnesses produced by Mr. Wright both now in service and out of service were unanimous in their statement that the Superintendent has been lacking in civility to his subordinates and that he never took any of their suggestions in good spirit. They all stated that he has been arrogant and ~~abusive~~ abusive at times. Under these circumstances the position of a Subordinate becomes irksome and life becomes intolerable and consequently two of them who had put in 19 and 12 years of service had to quit the jail. The Superintendent says in his explanation that the reason for their resigning was because he did not allow them to disburse

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the gratuity earned by the prisoners on the day of their release, thereby implying that these Clerks wanted to be unlawfully profited. This explanation of the Superintendent is puerile. Section 453-clause 3, clearly states that the disbursement of gratuity, batta and so on, shall take place in the presence of the Superintendent. Therefore, it is not likely that these two Clerks would have been bold enough to suggest a wrong procedure to the Superintendent, especially, when the feelings between them was anything but cordial. It is also not likely that they would sacrifice their long service for no adequate reason. They found that their self-respect was at stake under the present Superintendent and so they made their great sacrifice.

5. That the Superintendent sold a fat bull of the Jail at an auction sale held by him for the purpose to a Mahomedan Butcher at a low price of Rs.63/- refusing to give it to a Hindu though it was he who offered the price.

12. It is not clear to me why the Superintendent should have auctioned a healthy, strong bull, for a small sum of Rs.63/- and have bought a pair of cast-bulls from the Transport Corps for Rs.200/-. This bull was in good condition and was doing good work with the other pair. It would have been a better economy, if a bull had been bought to match this one.

13. Lingoji, the present warder of the Jail, states, that he offered Rs.63/- for it at the auction, while

while, a Mahomedan offered Rs.62-8-0. But the Superintendent declined to give him the bull on the ground that he was an employee of the Jail, and gave the bull to the Mahomedan butcher for Rs.63/- So what Mr. Wright said against the Superintendent has been proved.

The Superintendent did not attend to the Annual Stock-taking on the due dates.

14. From the Statement of the Store-keeper and from the Stock-Book, I find that the Superintendent failed to take stock on the 31st December 1919, which was the due date. But it was taken on the 28th January 1920. Therefore the statements in Form 12 A and 12 B. cannot be accurate.

Cash Book and Cash Register.

15. There has been much controversy as to who should maintain the Cash-book. The Superintendent says that the Chief Jailor is responsible. But the Chief Jailor says, that he is only responsible for the Cash Register, according to Section 792 and that the Head Clerk is responsible for maintaining the accounts of the Jail as per Section 162.

16. Section 792 clearly defines that the Chief Jailor should maintain the Cash Register, which is a non-descript book and for which no special form is prescribed, whereas, in Section 793, clause 1, Cash-book is separately defined and a special form is prescribed for that purpose (Form No.30). Therefore, the Cash Register and the Cash Book cannot

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beone and the same. Further, the Cash Book has never been maintained in the Central Jail, by the Chief -- Jailor. It has been always the duty of the Head Clerk. (see 162) When the Head Clerk quitted service, the book got into arrears. Therefore, I quite agree with Mr. Wright's contention, that he is not responsible for the maintainance of the Cash Book. The Superintendent should have appointed another Clerk to attend to the Cash Book.

17. Mr. Wright is thoroughly acquainted with all the rules of the Mysore Jail Manual and he is a useful and a conscientious officer.

18. In conclusion I am obliged to agree with my predecessor that the - Superintendent Mr. Mahomed Obeidulla is an incapable officer to be placed in charge of such a large institution as the Central Jail. His utilizing the services of 6 Warders for his own domestic service is a serious matter for the consideration of the Government.

I have the honor to be,

Sir,

Your most obedient servant,

H. B. Mayhew

Ag. Inspector-General of Prisons.

ALLEGATIONS BY MR. WRIGHT, CHIEF JAILOR, AGAINST THE SUPERINTENDENT.

1. That the Superintendent has borne the greatest ill-will towards him - ce the year 1911, when he(Mr.Wright) was the Police Inspector of Koppa Taluk and has maliciously tried to injure him in every way, and that the ill-will and malice against him on the part of the Superintendent continues even now Etc.,

EXPLANATION OF THE SUPERINTENDENT.

The first time I met Mr. Wright was at Koppa as Police Inspector, when I was the District Superintendent of Police of the Kadur District Mr. Wright's work as Police Inspector was very unsatisfactory and he was found incompetent to be in charge of a Taluk and was therefore transferred from Koppa and Tarikere.

To quote a few out of several - instances of neglect of duty on his part:-

In a case of disturbance by - coolies, where Police Constables and others were assaulted, complained of by Mr. Brown though Mr. Wright was camping at Solebile for days at the time, he shut himself up in the - Traveller's Bungalow and did not take up the investigation though I had ordered him to see Mr. Brown and to enquire into the matter personally. The Inspector-General of Police Mr. C. Srikanteswara Iyer called for his explanation and the Deputy Commissioner Mr. A. Subramanya Iyer remarked as follows:-

> I am not satisfied with the work done by this inspector. His conduct will form the subject of a separate communication in connection with the telegram sent by the Marvary Company of Koppa about which the Inspector-General has called for a report. The - Marwari Company's case is another one which he deliberately spoiled and was therefore transferred from Koppa to Tarikere.

In another case of Sollebile - under Section 304. I. P. C. Mr. Wright mismanaged the whole case and was reported to be quite unfit to be in the responsible post of an Inspector. Here again the Deputy Commissioner Mr. A. Subramanya Iyer agreed with me.

As regards Mr. Wright's allegation that I did not grant him leave when his mother was seriously ill &c He took 5 days casual leave from - 27-9-1912 when his mother died he applied for an extension of 10 days and again for - another 15 days. He was asked to produce his Service Register which he never did. His last application was dated Lucknow 9th October, but it was seen from the Postal Stamp on the cover that it was posted on 14th October at Richmond Town. He had gone away locking up all official papers in his house. Upon this the Inspector-General of Police - ordered as follows:-

" Place him on leave without allowances for the whole period of his absence till he submits his explanation and Service Register and call upon him to return all papers on failure to do which, he will run the risk of being suspended".

When I joined here as Superintendent of Central Jail in March 1919, I told Mr. Wright plainly that I have come with quite an unbiased mind and he need have no anxiety

2. That Mr. Wright apprehended harm to himself on the advent of the Superintendent to the Jail Department. So he requested the then Inspector-General of Prisons to recommend him

Assistant Superintendent's post in the Police Department, as it was impossible for him to remain in the same place with this Superintendent &c.

anxiety whatever. But as admitted by himself he has reported to the Inspector-General in March 1919 alone against me. I gave him one full year to improve but he continued to be the same and I reported him to the Inspector-General of Prisons in March 1920.

3. That when Mr. Wright did not get the Assistant Superintendent's post the Superintendent began to try - other means of getting rid of him &c.,

I sent up his application for Assistant Superintendent's post to the Inspector-General for favourable consideration. When he failed to get this post, he became desperate.

4. That the Superintendent openly declared that he will get rid of the entire Jail Staff which has been here prior to his arrival in this Department &c.,

This is a deliberate falsehood. Of course for bad work and neglect of duty the subordinates have to be warned.

5. That the Superintendent again - adopted the same methods of discrediting him by false rumours and letters as he had done before and that he has brought this fact to the notice of the Inspector-General of Prisons in March 1919 and again on 9th March 1920.

I joined the Department in March 1919 and Mr. Wright then and there has brought this charge against me as he admits that he brought this fact to the notice of the Inspector-General in March 1919 alone.

6. (1) That in the time of Doctors Palpu, Maronha and Pani he or any - Member of the Staff could suggest the correct procedure, but now neither he nor any other Member of the Jail Staff dare open his mouth to make any suggestion for he is sure of absuiive treatment, which can be ascertained from the Deputy Jailor, the 1st Assistant Jailor and the late 1st Assistant Jailor

This is another deliberate lie. Mr. Wright was hardly taking any interest in the work and as such he did very little. But whenever consulted he - would mislead, misinterpret and - create obstacles in the despatch of work. His refusal to pay the Railway fare of prisoners transferred to - Mysore and his refusal to maintain the Cash Register are examples of his knowledge of correct procedure.

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Jailor, the late Third Assistant Jailor, the Chief Warder, the Deputy Chief Warder, the Matron and in fact entire staff etc.,

6. (2) That whether he has been a help or an obstacle to the various Superintendent can be seen from their confidential reports etc., as to his ability, vigilance and sense of duty and in the growth of the Manufacturing Department from Rs. 21907-0-11 in 1916 to Rs. - 31084-14-1 in 1918 against Rs. - 15377-14-2 in 1919 owing to the - mismanagement of the present Superintendent etc,.

I also had good opinion of Mr. Wright in the beginning and my first confidential report about him will prove this fact, and was compelled to change it subsequently on - account of his bad work. The figures given by Mr. Wright concerning the Manufacturing Department are misleading and I give below the actual figures:-.

Rs.21907-0-11 in 1916
Rs.20111-1-5 in 1917
Rs.31084-14-1 in 1918
Rs.22812-11-1 in 1919 and

not Rs. 15377-14-2 as stated By Mr. Wright. It may be seen that the figures of the year 1919 are in - advance of those for the years 1916 and 1917 in spite of the adverse - causes Viz., (1) the rates at which raw materials were purchased were - were higher in 1919 than in 1918; (2) the quantity of materials purchased for the amount was less in 1919 than in 1918; (3) the percentage of convicts employed on manufacture was less in 1919 than in 1918 owing to special releases when a large number of experienced convicts was released.

As regards the increase in the year 1918, articles manufactured out of yarn purchased at cheaper rates given by the contractor in 1918 were sold at prices calculated at higher rates of yarn then prevailing in the market etc,.

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(3) That the thorough discipline established throughout the Jail by him has now vainshed etc.,

Mr. Wright was mortally afraid of going into the Jail when the prisoners were outside their cells and he formerly used to go after lock-up; as such what discipline he could establish

6. (4) That is absolutely false that he has ever pleaded "ignorance" and that he regrets to state that this statement of the Superintendent regarding him is false and groundless, and that he is quite willing to sit for a competitive examination on any subject which the Superintendent likes or on any matter relating to Jail, Law, Industries, Commerce, Agriculture, Farming or general knowledge etc,.

The records connected with the non-payment of railway fare of prisoners by Mr. Wright will show how ignorant he was of the rules and for which Mr. Wright was ordered to pay the penalty charged by the Railway Authorities. This penalty amount had to be recovered from the pay of Mr. Wright as per orders of the Inspector-General.

6. (5) That with reference to the Poilce waiting on him, it is false as it is not his duty to receive new prisoners . That he will be willing if the whole Police force is paraded and asked if ever there has been delay on his part, for he is always on duty and ever available. He requests that Mr. Pritchard, District Superintendent of Police Kolar Gold Fields, be addressed to ascertain the truth of what he says. The Superintendent is not aware of section 158 Cl.(a) or as usual he tries to make him the scape grace of his own or others shortcomings etc,.

Yes ; The chief Jailor does not admit prisoners but the Deputy Jailor (Section 158 Cl. [a]). But the delay was on the part of Mr. Wright who, as Chief Jailor, has to grant the certificate (Section 224, Jail Manual) in form No. 36 which is attached for perusal. Mr. Wright used to make the Police escorts wait for hours to grant this certificate, and I have actually heard poor starving constables, particularly from the Districts, cursing and swearing and I have often warned Mr. Wright in this respect.

When once Mr. Wright gets into

into his quarters it is very hard to get him out. The very recent letter of Mr. N. T. Gopaliengar, Retired Sessions Judge to the Inspector-General of Prisons received with the Inspector-General's No. 1301/163-20 dated 24th August 1920 (copy attached) will show how - Mr. Wright is always on duty and ever available.

The reference from the Superintendent of Police, Kolar Gold Fields, is herein enclosed.

6. (6) That the following statement clearly shows how he has built up the industries of the Jail since coming to this - Department. That the fall in 1919 is due to the Superintendent's lack of administrative power and discipline, want of ability and method in handling labour both among the prisoners and staff etc,.

Mr. Wright has very cleverly given the figures of the "amount drawn from the Treasury and remitted to the Treasury", which are misleading. He was carefully avoided the value of stock on hand.

The value of articles made in a previous year if sold in the next year, has to be remitted to the Treasury in the latter year and naturally increases the figure of the sum remitted to the Treasury in that year, and similarly if collected in the following year.

There was no loss in the year 1919 but a clear profit of Rs.5741-1-10 as shown below:-

Amount spent on industries	Rs. 21635-7-3
Income derived	Rs. 27376-9-1
Profit	Rs. 5741-1-10

Vide statement of income and expenditure on industries submitted with my letter No. 46/F. 16. dated 29/7/1920

6. (7) That the chaotic condition of the office may be seen from the records of the Inspector-General of Prisons who has called on the Superintendent to explain for transmission to Government the unprecedented accumulation of arrears etc,, That the condition of the stores is also - chaotic, etc,.

As per Section 140 of the Jail Manual the Chief Jailor is the ministerial head and the chaotic condition of the office, if any, is due to neglect of duty on the part of the Chief Jailor. I have also reported to the Inspector-General about the inefficiency of the clerical staff.

Mr. Wright says that the condition of the Stores is also chaotic. If, so, the responsibility lies upon the Chief Jailor as per Sections 840 850, 859 (4) of the Jail Manual.

6. (8) That the Annual stock-taking was not done by the Superintendent - although he brought the matter to his notice only to receive a rebuff in return, and hence statements Nos.XII A. and XII B. were compiled from Ledger figures and not actuals and therefore they are only probables etc,,

I have actually taken stock and submitted the certificate. I found 7½ yards of tent cloth short and this fact I have noted in the certificate.

6. (9) That in the tower or Jail proper discipline has vanished on account of the disrespectful manner in which the Superintendent has - treated his subordinates in the presence of convicts and in their hearing. That once the Store-Keeper fell down in "dead faint" as a result of the - Superintendent's shouting. That in the presence of the Warder staff he abuses the Deputy Jailor and the store-keeper and has asked the former

This is false.

The Store-Keeper was suffering from fever and was under the treatment of the Sub-Assistant Surgeon. One day when he went out of office he fainted and I asked Mr. Wright what the matter was and he himself said that the Store-Keeper was weak on account of fever and had fainted.

This is false. As regards the the Deputy Jailor whose work has

to k[illegible]ck out, resign, go away and has even passed orders in the Order Book that the Deputy Jailor must quit. That the Superintendent told Mr. S.V. Shama Rao the Chief Warder to take up the broom and basket of filth and do the scavenger's work although he is a Brahmin. That the Deputy Chief Warder has had the same treatment and the Superintendent has ordered him to quit etc,.

has all along been unsatisfactory On. 27-3-20 I noticed that the meat issued contained bones and that the rations were issued late. I called for the explanation of the Deputy Jailor and remarked in the Order Book that "if the Deputy Jailor does not improve he will have to quit".

This is false and it is not my nature to use such a language.

The Deputy Chief Warder looks after the garden. His work also is very unsatisfactory. Repeatedly I had to warn him for neglect of duty such as not preserving vegetable seeds etc,.

6.(10) That assaults are common and the crime has risen from 54 cases in 1918 to 180 in the current official year, although there are still 2 months to complete the year, etc,.

Assaults are not at all common. If there is an increase in Jail offences, it is due to not hushing up of things and impartial dealing.

6.(11) That when once the Matron suggested that the Female prisoners who quarrel should be - punished, the Superintendent flew into passion and asked her to resign and clear out etc,.

Once the Matron wanted a - mischievous female prisoner to be - flagged. As it was against the law, I said that it could not be done, when the Matron said that she could not - remain in the midst of such prisoners and would resign and I told her that she can do so.

Mr. Wright set up the Matron and advised her to approach the Inspector General.

6.(12) That the Superintendent's conduct in the Female prison is opposed to section 96 of the Mysore Jail Manual etc,.

This is most disgraceful. Section 96 of the Jail Manual is strictly observed.

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6.(13) That on 8/3/20 when a quarrel took place between two female prisoners and one of whom was lying on the foot path leading to the Hospital pretending to have been injured and unable to get up the Superintendent asked the Sub-Assistant Surgeon to apply a blister to her etc,.

6.(14) That almost daily some official of the staff comes with his resignation being unable to endure any longer the Superintendent's abusive and teasing treatment. That on account of such treatment on the night of 19th July 1919, Mr. P. Krishna Shetty and K. Srinivasa Rao submitted their resignations to the Superintendent on the spot etc

Female prisoners Nos. 1081 Hanumi and 4212 Sunkali were found quarrelling on 8/3/20. I enquired into the matter and punished them both with penal diet.

The suggestion of the application of blister is quite false and of Mr. Wright's own invention.

This is false.

As regards the resignation of clerks Messrs. P. Krishna Shetty and K. Srinivasa Rao, they with Mr. Wright at their back tried their best to leave to them the distribution of batta and earnings to prisoners released on 19/7/19 in connection with the signature of Peace, and Mr. Wright even told me that on previous occasions Superintendents only used to announce releases and go away. The amount to be disbursed was large and I insisted upon disbursing the same in my presence and saw the released prisoners paid, although I had to remain till 2. A. M., in the night. This upset Mr. Wright's plan and he instigated the clerks to submit their resignations. Eventually, Clerk P. Krishna Shetty was dismissed and the resignation of K. Srinivasa Rao was accepted by the Inspector-General of Prisons.

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6.(15) That Mr. Wright is the centre of discipline is borne out by the testimony of prisoner No. - 674 Manchi Bheema undergoing a sentence of 23 years whom he himself had booked for assault on 5/3/20 etc.

The testimony from convict who is a confirmed habitual offender

How could Mr. Wright exercise any discipline when he is afraid of going in the midst of prisoners or when they are not locked-up.

As regards the assault by prisoner No. 674 Manchi Bheema whom Mr. Wright says, had himself booked the prisoners' Punishment Book shows that on 5/3/20, this prisoner said that he would assault prisoner No. 3568 Akbar in the Carpentary shed. The matter was enquired into and both the prisoners were removed to different - work-sheds.

6.(16) That no where in the Jail Manual is it laid down that he must sign his name stating the hours of attendance in the Attendance Register etc,.

What is the use of Attendance Register then?

Mr. Wright was not checking the attendance of other officials but was in the habit of only entering his - name in the first line though he - came after the others and never liked other officials to sign in the first line though they came before him. Mr. Wright was formerly entering at least the hour of his arrival in the Attendance Register and after my coming here (3-3-1919) he gave up even that from 5/3/19.

My predecessor had been signing in the attendance register and entering the hours of his arrival and departure and I have been doing the same

The plea of Mr. Wright is that

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he is ever on duty in the Jail premises and is not bound to enter his name in the Register. Similarly, the Deputy Jailor who has his quarters also in the Jail can follow the example of Mr. Wright but he is not doing it and enters the hours in the Register. I insisted upon Mr. Wright entering the hours of his - arrival and departure, because he used to say that he was always on duty, but never available once when he went into his house.

6.(17) That Section 23 Prisons Act is clear as to Chief Jailor's absence during nights and provides for it, whereas the Superintendents letter is misguiding on the point. That no where in the Manual is stated that the Chief Jailor must obtain the Superintendent's permission to leave his quarters at night and that it is only the Deputy Jailor who has to obtain such permission etc.,

Section 23 of the Prisons Act is quite clear, but Mr. Wright has as usual misinterpreted it to suit him. The marginal heading of Section 23 of the - - Prisons Act of 1870 is " Not be absent without leave " and that of Section 19 of the amended Prisons Act of 1894 is " Jailor to be present at night ". This means that he cannot go away at nights whenever he likes without the permission of the Superintendent, and the very - object with which he is provided with quarters at the Jail is frustrated if he goes away at nights without any arrangement during his absence.

6.(18) That para 4 of the Superintendent's letter is characteristic of himself and does not pertain to him at all and that this fact may be established by enquiry etc.,

In the explanations furnished by Mr. Wright in several cases he says that he is not bound to do this or that which means that he was practically doing nothing. He would not even initial any paper though the clerk might wait upon him for hours.

5(19) With reference to para 5 of the Superintendent's letter Mr. Wright says that he works on an average from 14 to 18 hours a day. That the re-distribution of work drawn up by the Superintendent is not according to Manual and that he has imposed duties which do not find a place in the Jail Manual or any Regulations Etc, as the Chief Jailor is to be in attendance on the Superintendent as long as he is in the Prison etc.,

He did very little work. The distribution of work is in accordance with the Jail Manual and as per instructions of the Inspector-General of Prisons and it is issued with the Proceedings of the Inspector-General No. 295-96/36-07 dated 7/2/20. Mr. Wright is not satisfied with the distribution of work though he has hardly attempted to do the work allotted to him in accordance therewith.

Sections 155, 156 and 159 of the Jail Manual quoted by Mr. Wright relate to certain duties of the Chief Jailor to be performed by the Deputy Jailor in the former's absence and also when the latter is better fitted than the former

The hours of my arrival and departure will show my attendane, but the object of Mr. Wright's never entering the hours of his arrival and departure in the Attendance Register was to avoid detection of his absence off and on.

6(20) That it is not the duty of the Chief Jailor to maintain the Cash Book etc.,

Here again Mr. Wright has misinterpreted the rules relating to the maintenance of the Cash Book and even after the Inspector-General himself ordered that he should maintain the Cash Book, he deliberately disobeyed the orders and did not maintain the Cash Book. This may be seen from the records and finally when Mr. Wright stood transferred to Mysore, the Inspector-General ordered that he will be held personally responsible for not maintaining the Cash Book.

He

he was more than once directed by me to bring the Cash Book up to date and an order also has been recorded in the Jail order Book. Jail Manual rules are quite clear in the matter and the Inspector-General also has issued clear instructions to the effect that the Cash Book ought to be maintained by the Chief - Jailor.

6(21) That the Superintendent had - never had a plain talk with him and that in fact there is nothing plain or straight about the Superintendents, for he says that His Highness has personally selected him as Superintendent to improve the Jail, that he is going to - weed out every member of the - - Staff that he will have full sway and authority in the Jail and that he will be under the personal - - orders of the Councillor, that he will settle everything in person and it is only formal to make a report and get it passed Etc.,

This is all absolutely false and only the out-come of Mr. Wright's guilty conscience.

More than once I had a plain talk with Mr. Wright and advised him, but all proved futile.

6(22) That from the time the Superintendent has come to the Jail he has never checked the Remission Sheets and hence there have been over-detentions. That the Superintendent spends his time in scolding the - subordinates or listening to prisoner's tales etc.,

How can Mr. Wright say that I never checked the Remission Sheets when he has never looked into them though he ought to have checked them in detail as Ministerial Head of the Institution. The previous Jailors were doing this and Mr. Wright was also doing the same before and gave it up after my coming,

saying

saying that it was none of his business. The records connected with the overdetentions of some of the prisoners submitted to the Inspector-General will show how he failed in his duty.

6(23) That the Superintendent has re-entertained warder Nanjappa who had been dismissed etc.

This warder was removed for absence without leave and when he appeared in person with his children and pleaded his ill-health and the ill-health of his children as the cause of his absence, pitying his poor condition and upon the recommendation of Mr. Wright I treated his absence as leave without pay and took him on duty.

6(24) That the Superintendent has entertained ex-convict No. 5322 Syed Khader as a Warder in violation of Section 114 Mysore Jail Manual.

This man applied for a Warder's post and as usual I referred his application to the Chief Jailor and the man was entertained. I did not know that he was an ex-convict until he was produced before me for bringing forbidden articles to the Jail and I dismissed on the spot. If Mr. Wright knew that the applicant was an ex-convict, he ought to have brought the matter to my notice when I referred the application to him.

6(25) That the appeals of prisoners are not disposed of in time and hence many of them have been rejected as time barred etc.,

If there was any such thing it was purely due to neglect on the part of the Jailor himself as he was never exercising any supervision over the office staff though he was the Ministerial Head.

(26) That prisoners to be transferred to Vellore are not transferred even after one year etc.,

The prisoners to be transferred to the Vellore Central Jail should only be sent after the disposal of their appeals Here again the delay, if any, is to be

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to be attributed to the carelessness on the part of the Jailor himself who -- though repeatedly ordered to look to this matter never paid any prompt attention and when the papers connected with these prisoners were signed by me and every - arrangement made to despatch them to - Vellore the next morning, he sent me an useless objection during the night purely to detain their being sent to Vellore early next morning and thus upset all the arrangements I had made with the Police and the Railway authorities However the prisoners were sent to -- Vellore the next morning and no objection has been received till now from the -- authorities of the Vellore Jail.

6(27) That the Superintendent has never even once inspected the -- condemned cells although required by Section 690, Mysore Jail Manual.

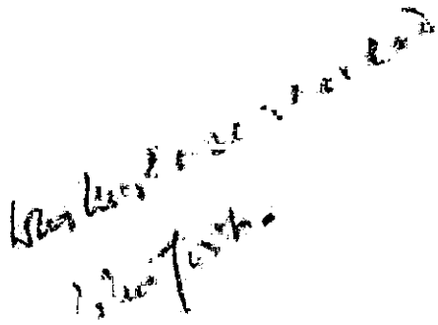
This is false. I have never failed in visiting the condemned cells when such prisoners were received and also daily both mornings and evenings. The Jailor whose duty it is to see that condemned prisoners are searched daily according to Rule 697 of the Jail Manual was not doing this work. He only began doing - this work when the matter came to my - notice and I warned him.

28) That the Superintendent placed condemned prisoner Rama in Hand-cuffs although he was neither violent nor dangerous and ordered that the -- prisoner should be so kept night and day which is opposed to Section 280 (a) , Mysore Jail Manual.

Here again as usual with him Mr. -- Wright mixed up the Sections for use of irons " as a punishment" and " for purposes of security".

The sympathies of Mr. Wright were -- with this notorious and desperate cut-

law



6(29) That the Superintendent is unfaithful to his salt to his King and the rulers of his country as he has inconvenienced His Highness the Maharaja, His Highness the Yuvaraja and Dewan Sahib by not complying with their repeated requisitions for the full compliment of prisoners, not to deprive himself of the personal services of 5 to 8 paid warders whom he had been utilizing as domestic servants. That he has made false reports and records saying that the full number of prisoners could not be sent on account of the paucity of warders. That the Superintendent in utilising Jail warders as his domestic servants caused wrongful loss to Government and wrongful gain to himself to the extent of Rs.1000/- the pay and allowances of these warders etc.,

outlaw Kanneswara Rama who was connected with several murders. When a crowbar was found burried in the cell of this prisoner, who was evidently trying to escape, I ordered him to be placed in irons for safe custody in accordance with Section 52 of the Prisons Act and reported the matter to Inspector-General in My Diary of 18/3/20.

The full compliment of prisoners to the Palace and to Dewans quarters was not being sent even in the time of my predecessors owing to the paucity of warders. This can be seen from the records of this office, vide also correspondence ending with this office No. 63/ F 19 dated 16th January 1919.

When I took charge of the Jail, the number of vacancies on the Warder Establishment was large and gradually I filled it up, mostly by demobolized men from the Military Department, and the number of prisoners to be sent to the Palace as well as to the Dewans Residen also gradually increased.

I have not been using any warders as my domestic servants, but I might mention here that in the beginning Mr. Wright was sending a patrol to my bungalow during the nights saying that the place was not safe, as when Mr. Rangasamy Iyengar, the Director of Industries and Commerce was living in the next bungalow, stones were being pelted on his house, and I stopped this subsequently

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6.(30) That the Superintendent does not take any notice of the wood contractor who is a Mahommaden, who supplies green fresh felled jungle wood in spite of complaints from the staff and prisoners cooks. The green wood weighs 50 per cent more than it would otherwise do, which gives great profit to the contractor etc.

The facts are that the contractor whose rate for firewood had been accepted by the Inspector-General failed to supply wood to the Jail after some time. Then I received quotations from the present contractor and the same was submitted to the Inspector-General for sanction. After sanction, this contractor has been supplying firewood to the Jail. Vide correspondence ending with the Inspector-General's No. 1753/9-19 dated 23rd August 1919. The casuarina firewood has been stopped to be used as far as possible and jungle wood used as in British Jails considering the Savings accrued by doing so.

6(31) That as Chief Jailor every paper should pass through him That after the advent of the present Superintendent no papers pass through him and as such he is unable to know any important information. Thus the Superintendent tried to entrap him etc.

Every paper and every cover received was being passed to office through the Jailor as the Ministerial Head. Here again there was much difficulty to dispose of papers, as Mr. Wright would not even initial papers though they were lying on his table for days.

6(32) That the fat Jail bull was auctioned for a small sum of Rs. 63/- which was slaughtered and exhibited as prize beef at the market show. That only Mahommaden Butchers bid at the auction and no Hindu Cart-man was present.

This is false. The bull was sold in public auction. The records will show (Vide correspondence ending with my No. 1548/F 3 dated 18/19th December 1919) that auction was held as sanctioned by the Inspector-General in accordance with the Rules and procedure.

That the Superintendent knocked the bull down to a butcher although a Hindu Warder Lingoji by name bid higher than the butchers and came forward with ready money etc.

Even now I am not aware if the highes bidder of the butcher. On the first day fixed for the sale there were no bidders and again the sale was notified and - auction held on the fixed day.

6(33) That the Superintendent is - partial towards his subordinates. Hindu Warders are not given leave. That such men as Abdul Alim and Abdul Salim are continuously given leave and although absent for months their names are struck off the list of warders. That when Hindu warders resign, the Superintendent compels them to work two months though - - there is no provision in the Law or in the Manual for such treatment.

This is false. I have never been - partial to my subordinates. As regards resignations, if any, I insist upon the resigning warder to work for some time as is done in the Police Department, otherwise it is impossible to get a substitute or to arrange for work if warders resign whenever they like and wish to be relieved then and there.

6(34) The case of 1st grade warder Venkatakrishna is cited as tipical, that warders working as domestic - servants of the Superintendent are given promotion over all others although they are not entitled to the same. That temporary warder Chinnamuttha who has been pronounced medically unfit, has been promoted by the present Superintendent to the first grade putting down the claims of seniors etc.,

The 1st grade warder Venkatkrishna was once reduced for bad conduct and when there was a vacancy in the grade of Head Warders, I wanted to give him a chance. But Mr. Wright himself was against it and I had to give it to - - another. As regards warder Chinnamutha he was not appointed by me but in the time of Mr. Chokkanna and has put in a pretty long service.

6(35) That the Superintendent has to ordered the appointments of the Superintendent's two orderlies to be kept vacant always etc.,

This is false. These two posts were vacant since a long time owing to the meagreness of pay attached to the posts and none came forward to accept the - posts. The special allowance of Rs 2/- sanctioned

sanctioned by Government for warders of the Jail was not extended to these - - orderlies. It is only after the consolidated allowance sanctioned by Government recently to Government servants, these two posts have been filled up.

6(36) That the Superintendent - ordered prisoner Mailaiah to be given double rations after reducing him one grade although threatening the Chief Jailor Mr. Wright in a most daring - manner etc.,

One day when I was inspecting the - condemned cells and Mr. Wright was with me this prisoner complained to me that the ragi pudding given to was not - - enough. I asked Mr. Wright if the - prisoner was not getting the allotted quantity and Mr. Wright replied in the affirmative. But, added that the - prisoner was formerly getting double quantity as he is a huge eater but it has been stopped of late. Whereupon I remarked that when such a large - quantity of savings of the ragi pudding goes daily to feed your poultry, why not give something out of it to this poor prisoner. I may mention here that Mr. Wright had a large number of - poultry and was actually trading.

6(37) That the Superintendent made a false entry in the Remission Sheet of prisoner No. 3061 Durga who had been granted special remission by remarking that the prisoner's charact-er was doubtful thereby cancelling all the remission once granted to the - prisoner as he was overdetained by mistake to the full extent to the remission granted to him etc. That the Superintendent treates his -

This is not the only prisoner who was not granted special remission, but - there are others also as can be seen from the special remission sheets. But somehow or other this prisoner was the favourite of Mr. Wright and Mr. - Wright repeatedly requested me to grant him special remission which I refused, as he was a habitual and his conduct was doubtful.

This

his subordinates most shabbily and interrupts them in their work.

This is exactly what Mr. Wright do as he would not look into any paper u less some official or even a Head Ward is with him.

6(38) That the Superintendent never grants leave to subordinates and that he did not once even allow Mr. Wright to go and see ~~on~~ his wife when she was in Hospital etc.

This is false. No body would refuse leave if a subordinate is in need of it. I recollect that one evening Mr. Wright wanted leave from the next morning, and I told him to wait till it was sanctioned and on another occasion, he similarly wanted leave simply to take rest when there was pressing work and I refused him the same till he ~~[illegible]~~ finished his work, which he never did.

6(39) That the Superintendent has passed an order against the Store-keeper that his pay should not be disbursed, until the Detailed - contingent bill of the month is sent etc.,

As there were several reminders and the returns were not sent up to the Inspecto General, I had to stop the pay of not only the Store-Keeper but of other - Officials also till they submitted the returns.

6(40) That with reference to alleged requisition for an under-trial to be handed over to the Civil and Military Station Police, the Head Constables never appeared before him etc.,

The entire correspondence submitted herewith(to be kindly returned) in the matter will show how far the Jailor has done in this connection.

6(41) That it is not mentioned anywhere that the Jailor should pay the Railway fare to prisoners etc.,

This question has been decided by the Inspector-General of Prisons. Vide ~~[illegible]~~ correspondence ending with his No. 1056 159-19 dated 15th July 1920. The Jailor has been made to pay the penalty and the amount is also recovered from his pay.

"Copy"

[signature]

of Inspector General of Prisons

~~COPY~~

-FTIS.-2]

OFFICE OF THE INSPTR.-GENL. OF PRISONS IN MYSORE,

No. 1705 Ecine 3. DATED BANGALORE, 19th November 1920.
95-20

FROM

Dr. H. B. Mylvaganam., F. R. C. S.,

Inspector-General of Prisons in Mysore,

Bangalore.

To

C. S. Balasundaram Iyer., Esqr., B. A.,

Chief Secy. to the Govt. of H. H. the Maharaja of Mysore,

[redacted], Bangalore.

SIR,

In continuation of my letters Nos. 1054/ 95-20 and 1096/ 95-20 dated 15th July 1920 respectively, I have the honor to report that there has been another case of overdetention of prisoner No. 5320 Badagal Thimma, for 14 days, in the Bangalore Central Jail which was reported to me by the Superintendent in his letter No. 1379/ F 41 dated 22nd September 1920.

2. In submitting herewith the explanations received from the Superintendent, Chief Jailor and the Remission Clerk, I beg to point out that this particular prisoner had been given two months remission on the occasion of the birth of a Prince to His Highness the Yuvaraja of Mysore while he was in the Chitaldrug Lock-up. This fact was noted in his warrant previous to his admission in the Central Jail. But this remission has not been entered in any of the registers in the Central Jail, hence the overdetention. The Superintendent blames Mr. Wright for not entering it in the Convict Admission Register and attributes the subsequent omission in the Remission Sheet and the History Ticket to this negligence on the part of the latter. Mr. Wright rightly states that remissions are never entered in the Convict Register and there is no column provided for it and he has entered all other details of the prisoner as required by Section 772. The remissions ordinary and special

GPB—506—19-5-18

From

The Inspector-General
of Prisons in Mysore,
Bangalore.

To

The Secretary to the Govt. of Mysore,
General and Revenue Departments.

Dated 18th/19th November 1920.

Despatched

Received

General No. 1705/95-20
No.

Enclosure No. 3.

Subject

Submits the explanations received from the Superintendent Chief jailor, and the Remission Clerk, in connection with an another Case of over-detention of Prisoner No. 5320, Badagal Thimma, by 14 days in the Bangalore Central jail, together with the Inspector-General's Opinion thereon.

special are always entered in special registers provided for the purpose and the Remission Clerk is the official who is primarily responsible for these entries. Secondly the Superintendent of the Jail is responsible for their correctness. Sections 780, 233, 234, 775 and 305 have clearly defined the role of the Remission Clerk and the Superintendent. In face of these facts, the Superintendent is not justified in throwing the blame on the Chief Jailor. The Remission Clerk and the Superintendent must be held responsible for this overdetention.

3. The explanation of the Remission Clerk that the warrant was not given to him by the Chief Jailor is not true. The - - practice in this Jail has been to pass the warrants on to the several clerks for the necessary entries and finally it is passed on to the Chief Jailor for safe custody.

4. Even if there has been an omission to enter the remission gained by the prisoner on his admission into the Central Jail, there is no excuse why this omission was not subsequently rectified as the Superintendent is required by Section 780 Clause 2 to examine and satisfy himself that the entries in the Remission Sheets are correct and up to date. I am informed that he has - never verified the remission sheet.

5. A careless and an indifferent Officer like the Superintendent is responsible for these irregularities. If proper supervision has been exercised, I am sure there would have been no such irregularities.

I have the honor to be

Sir,

Your most obedient servant,

H. B. Mayhew

Ag. Inspector-General of Prisons.

Letter No. 1487/F. 41 dated 15th October 1920 from the Superintendent Bangalore Central Jail, to the Inspector-General of Prisons in Mysore, Bangalore.

-@-@-@-@-@-@-@-@-

With reference to your No. 1480/95-20 dated 30th September 1920 making certain observations and calling for the explanations of the Superintendent and the Chief Jailor in connection with the overdetention of convict No. 5320 Badagal Thimma, I have the honor to submit as under :-

2. According to Rule 772 and 782 of the Mysore Jail Manual, the entries in the Admission Register must have been checked and iniatialled by the Chief Jailor and the Superintendent, If the Chief Jailor had seen the warrant carefully, he would have found the note of the Lock-up Officer of Chitaldrug about the grant of remission to the prisoner on the warrant itself and brought it to the notice of the Superintendent, but he has failed to do so.

3. No History Tickets were being given to prisoners until recently and it is only after I took action in the matter, they are being given to convicts. The Chief Jailor whose duty it is to see that these History Tickets have to be maintained up to date and according to Rules, never cared to do so and was shoving responsibility on others. The omission in entering the special remission granted to this prisoner is purely due to the carelessness on the part of the Chief Jailor who failed to notice the grant of remission recorded on the warrant by the Lock-up Officer of Chitaldrug. The prisoner also never informed before, that the special remission granted to him at Chitaldrug was not taken into account when the releases were read out periodically at the Tower.

4. Several warrants issued against a prisoner are not returned to courts until the whole period of sentences awarded is undergone by him, and this has been the practice in this Jail, as several sentences awarded to a prisoner will enable him to earn remission on the total period, - which will not be the case if each warrant is returned as its term expires, and further, the disposal of the prisoner could not be noted each

time

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time when the prisoner continues to remain in the Jail, undergoing the remaining sentences.

5. As for checking the remissions granted to pri-soners, I have been doing so, and the mistake would have been found out if the grant of remission at Chitaldrug had been noted in the first instance by the Chief Jailor in the Admission Register and by the Remission Clerk in the Remission Sheet.

6. Regarding the examination of warrants, I beg to submit that I have examined them with the Admission Register and found out 93 warrants without prisoners in the Jail, lying with the Chief Jailor. Vide my letter No. 546/F. 35. dated 23/28th April 20 to the Inspector-General of Prisons. The Chief Jailor has failed to do his work as regards the warrants of which he is the custodian as required by Rule 150 of the Mysore Jail Manual.

7. The manner in which the Chief Jailor, Mr. Wright did his work in this Jail is not only reflecting upon himself, but also upon the Superintendent and the other subordinates. On account of his delinquencies, the entire work of the Jail was being very irregularly managed.

8. As Mr. Wright is now in Mysore, a reference may be kindly made to the Superintendent of the Mysore Jail for the explanation of Mr.-Wright.

-@-@-@-@-@-@-@-

"C O P Y"

H.D. Montgomerie

Ag. Inspector-General of Prisons.

Submitted.

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Sir,

With reference to No. 1460/95-20 dated 30th September 1920 calling for the explanations of the Superintendent and the Chief Jailor regarding the overdetention of Convict No. 5320 Badagal Thima, I beg to state as follows:-

That in accordance with Section 772 Mysore Jail Manual all the prescribed entries have been correctly made in the Admission Register. This Register may kindly be inspected. Nowhere is it prescribed that the Remission earned should be entered therein, nor is there is a column provided in this Register for the purpose, hence it can be seen that I have done my duty correctly. That I minutely examine the warrants can be seen from my remarks in the Admission Registers and on the Warrants themselves. The warrant of a prisoner convicted in the Chitaldrug District and who is to be released on the 30th of October 1920 may kindly be sent for and examined and it will show with what diligence I have worked to prevent a prisoner from being overdetained.

With regard to the History Tickets I had almost weekly brought to the notice of the Superintendent that the new forms should be opened at once and I had also issued directions to the Deputy Jailor to do so as it is one of his duties as prescribed in the list of duties as sanctioned by the Inspector-General of Prisons. The descriptive entries at the head of the sheet are to be filled in by the Deputy Jailor and excepting the Medical entries all the other entries are to be filled in by the Superintendent himself Vide Section 229 Mysore Jail Manual. Sectdc 305 and 311 Mysore Jail Manual are perfectly clear that the Remission should be recorded in the History Ticket by the Superintendent himself. From this it can be seen that the Superintendent has again tried to make me the scape grace of his neglect of duty for Section 234 Mysore Jail Manual is perfectly clear that the Superintendent shall compare the entries in the Register and History Ticket

Ticket with those in the warrant and initial the convict Register in token of its correctness.

The Remission Clerks statement that the warrant was with the Chief Jailor is false, for the warrant may kindly be examined and the entries as per Section 233 Mysore Jail Manual there on will be found to have been made by the Clerk and this same Section requires that the entries in the Remission sheet shall be made at the same time, as those on the warrant, Section 162 Mysore Jail Manual is quite clear that the Remission clerk shall have charge of the whole work connected with the Remission System

This Section (162) to-gether with Sections 775 and 780 Mysore Jail Manual clearly prove that the Remission Clerk is responsible for the correct date of release of prisoners under the Remission System. Section 775 Mysore Jail Manual is perfectly clear that the Jailor is not responsible for the date of release of prisoners under the Remission System, and that it is unnecessary to enter the names of these convicts in his Release Register.

Section 780 Mysore Jail Manual states that the Remission Clerk shall post in the Remission sheet the amount of special and ordinary remission gained. That the Superintendent shall examine the Remissions sheets and satisfy himself that the entries are up to date and correct .

Section 308(clause 3) distinctly states when a prisoner has earned such remission as entitles him to release, the Superintendent shall release him. Section 310 states that when a prisoner is released under Rule 308 (3) the remission earned shall be endorsed on the warrant and the endorsement shall be signed by the Superintendent. The warrants of prisoners are only given to the Jailor for custody after all the necessary entries are made in the prescribed forms and registers and after the Superintendent's inspection which usually takes from 3 to 7 days to complete, - after the admission of the prisoner.

This fact can be ascertained from any official who has worked in the Jail. Although I have repeatedly brought to the notice of the Superintendent that it was his most important duty to grant

necessary

15-1

necessary remissions and to check the Remission sheets he has never done so, in spite of my repeated protests and he checked the Remission sheets this series of overdetentions would have been avoided. It is quite clear that I have done my duty under Section 149 Mysore Jail Manual and that the prisoner has not been detained beyond his date of sentence.

The overdetentions which are taking place are a series and are due to the fact that the Superintendent did not check the Remission sheets for ~~eeee~~ had he even done so after the 1st overdetention there would have been no other. But as he has not done so - detentions are taking place continuously as the overdetention of these prisoners is not due to the lapse of their sentence, but to wrong calculations and dates of release under the Remission System the Superintendent and the Remission Clerk are solely res-ponsible for the same.

From the Jail Manual it is quite clear that there are 11 grounds of release of which the termination of sentence is one and as the release has not taken place under this heading, but under the Remission System, it is quite clear that the Jailor is not at all responsible for the wrong date of release.

Sd/- W. Wright,

Chief Jailor.

Mysore,

26-10-20.

--@-@-@-@-@-@-@--

"C O P Y"

H.B. Mythen Francis

Ag. Inspector-General of Prisons.

18-11-20

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To

The Superintendent

Central Jail, Bangalore.

Through

The Chief Jailor,

Sir,

In obediance to your order regarding the overdetention of prisoner No. 5320 Badagal Thimma, I beg to say that the Chief Jailor was not in the habit of giving warrants to me to make necessary entries in the Remission Sheets. I have been making entries by seeing those in the Admission Register only. No mention of special remission granted to the above is made in the Admission Register . I had no chance to see that the prisoner had been granted special remission. If a note had been made in the Admission Book I could have known the fact, when his name was brought on the remission sheet. I therefore beg to submit that I am not responsible for not noting the special remission in the remission sheet.

I beg to remain

Sir,

Your most obedient servant.

Bangalore,

Dated, 21st Septr. 20

Sd/- A. Nanjappa,

Clerk, B. C. Jail.

"C O P Y"

Ag. Inspector-General of Prisons.

18 - 11 -

G. R. S. VI—G/32]

SUBJECT.....

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Diary No. of letter replied to

General and Revenue Secretariat

( )

, the *191* .

Date of issue

Signed by

Section

File No.

Serial No. 13

No.

To

The I. G. of Prisons

Madras

Sir

With reference to the correspondence ending with your letter No 626/158-20 dt 13.11.20 [illegible] a detailed report [illegible] regarding the circumstances in the B.6. jail, I am directed to request that the following records may be furnished by return post submitted at once for reference

1. The original records regarding [illegible] Gopalachari (Ref. Sessions Case [illegible] over.

Letters [illegible] of the I. G. of Prisons No 1301/163-21 dt 24 August 1920. referred to in the para 6(b) of the Superintendent's explanation

Page 6. of the Report Explanation

P.T.O

2 The Correspondence ending with the Deputy letter no 1548/7.3 dated 18.12.1920.

4 The D.S's order sanctioning the sale of the land referred to in para 6(32) of the Deputy Explanation — page 107 in Deputy Explanation

3 The Correspondence ending with Deputy's letter no 63/7.29 dated 16th January 1919 referred to in para 6(29) of the Deputy Explanation — page 16 of in Deputy Explanation

4 Also the Deputy's letter no 1379/7.41 dated 22nd Sept 1920 referred to in para letter no 1705/95-20 dated 18.11.1920 received from Govt — P.W.D. III

List of enclosures

Copied by

Examined by

D.O.
No. 677
158-20 Exec. 16.

Office of the Inspector-General of Prisons
in Mysore,
Dated; Bangalore, 9th May 1921.

Dear Sir,

I beg to submit the original records called for in your D. O. letter No.G.20818/Pris 40-19-13 dated 5th May 1921 (received on 6th May 1921) with a request - that the same may kindly be caused to be returned when no longer required. The delay is due to the fact that, as the original papers are sent out, I thought it best to keep - copies of important letters.

Yours sincerely,

S. Shivaram

To

A.V. Ramanathan, Esqr., B.A.,
Under Secy. to Govt.,
Bangalore.

10 MAY 1921

G. R. S. VI—G/32]

SUBJECT.....

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Diary No. of letter replied to 23365

General and Revenue Secretariat

( )

, the *191* .

Date of issue 20/5/15

Signed by M Rice

Section Pers

File No. 40-15

Serial No. 15

D.O. No. C.22066

To

The S. S. P's Mines

Sir

I am desired to state that the original records of enquiry called for in this office D.O. No. 20818 of 5/5/21 have not been received and to request that they may kindly be submitted to this office at once together with the original explanations of the Supdt. of the Jail.

I am also to request you to forward to this office the daily Duty Roster of 8 May to 23rd May 1919 referred to in your Memo 89 Gen Sett

1676
15820 13.11.20

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and to enquire if Town authorities register & if not ~~the authorities~~ ~~&c~~, under whose orders it was maintained & from what date. The previous register, if any, may also be forwarded.

The monthly Inspection Book referred to in para 10 of your letter No 1676/158-20 Q. 13.11.20. may also be sent as much ~~This Office by~~ ~~Post each~~ ~~This Office~~ by L.P.M. on Monday the 23rd May 21.

in duty
D.G.M.S.

List of enclosures.

Copied by

Examined by

166

G.R.S. [illegible]

~~Routine Notes.~~

[To be used only for notes, requisitions, etc., not intended for permanent record.]

Immediate.

24457 165

D.O. No. 738/158-20 Office of the Inspector-General
1 file containing 16 sheets of Prisons in Mysore.
and one Rough Duty Roster Bangalore, dated 25th May 1921.

Dear Sir,

Revenue 22066

In reply to your D.O. letter No.C.22353/Pris 2/20/57 dated 23th May 1921, I beg to state that the original records called for in your D.O. letter No.G.20818/Pris 40-19-13 dated 5th May 1921 were forwarded with this office D.O. letter No. 677/158-20 dated 9th May 1921 to the address of Mr. Ramanathan who had signed the D.O. in question and their receipt has been duly acknowledged in the Muddam book of this office.

I now submit herewith the explanation of the Superintendent, Bangalore Central Jail in original together with a rough copy of the daily duty Roster from 8th May to 23rd August 1913. This book is maintained in the Jail as per rule 176(2) of the Mysore Jail Manual.

The Superintendent Bangalore Central Jail has been requested to send the Monday inspection books and the previous duty Rosters. The same will be submitted to Government on their receipt in this office.

To.

P.Mahadevayya Esqr., B.A.,B.L.,
G.R.S. Bangalore.

Yours Sincerely,
S. Shamanna

—Should routine notes be written on small slips, the notes must be copied, or slips pasted on this form

167

DIARY No. 2457 D 7

D.O.

No. 743 158-20 Encl 5 Books (sent separately)

Office of the Inspector-General of Prisons in Mysore,

Dated, Bangalore, 26 May 1921.

Dear Sir,

In continuation of my D.O. letter No.738/158-20 dated 25th instant, I beg to submit herewith the Monday - Inspection Books (3 in number) and the duty Rosters (2 in number) maintained in the Bangalore Central Jail from - 1-10-1917 to 31-1-1921 and from 26-1-1918 to 22-2-1921 - respectively, which may be kindly returned when they are no longer required.

Yours sincerely,

S. Srinivasa

To

P. Mahadevayya Esqr., B.A., B.L.,

G.R.S., Bangalore.

G. S. VI—G/32]

SUBJECT.....

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.....

Diary No. of letter replied to.....

General and Revenue Secretariat

( )

, the *191*

Date of issue 26/5/21

Signed by

Section pm

File No.

Serial No

D.O. No. Q 22428

To

The I. G. of Prisons

Dear Sir

With reference to the correspondence ending with your D.O. no 738/18-20 dt 25.5. I am desired to enquire whether the daily only Roster was prescribed under the orders of ~~the I.G of prisons & the Govt~~ your That the remaining records called for in this office D.O. no. 22000 dt 20.5.21 may be returned ~~Govt~~ by return post

They have been received D. 26/5

D. 26/5

D. SCB 26/5

over.

169

24641 169

D. O.
No. 748/158-20. Office of the Inspector-General of Prisons
in Mysore,
Bangalore, 27-5-21.
Dated, May 1921.

Dear Sir,

In reply to your D. O. No.22428/Pris dated 26th May 1921, I beg to inform you that the duty roster is prescribed by Section 176 (2) of the Jail Manual, as already intimated in this Office D. O. No.738/158-20 dated 25th May 1920.

Yours sincerely.,

S. Srinivasa

To,
III P. Mahadevayya Esqr., B.A., B.L.,
General and Revenue Secty.,
Bangalore.

SECRETARIAT
PROTECTION BRANCH.
27 MAY 1921

G. R. S. VI—G/32]

SUBJECT.....

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Diary No. of letter replied to.....

General and Revenue Secretariat

(

, *the* 191 .

Date of issue 28/5/21

Signed by Mr P.M.

Section

File No.

Serial No.

Do No. G 22687

To The Asst B.O. Jail.

Dear Sir

With reference to the detailed enquiry held by the I.G.P. prisons regarding certain allegations made by Chief Jailor and Warder against you I am desired to enquire whether the daily duty Roster said to have been prepared by the Chief Jailor by the I.G.P. prisons is an authorised register and if so, from how long it is being maintained & under whose orders

Please send your reply per bearer as the matter is very urgent.

over.

172

[illegible] OF PRISONS

D. O. No. 758/158-20

OFFICE OF THE INSPR.-GENL. OF PRISONS
IN MYSORE,

Dated Bangalore, 28th May 1921.

Dear Sir,

In reply to your D.O.letter No.G.22688/Pris.dated 28th May 1921, I beg to inform you that from para 8 of this office letter No.1676/158-20 dated 13th November 1920 it will be seen that the Daily Duty Roster was produced before the Inspector General of Prisons by Mr.Wright at the enquiry held on the 29th and 30th October 1920.

Mr. Wright was required by this office "to come over to Bangalore immediately as he had to give evidence in a case of overdetention of prisoners in the Bangalore Central Jail" and in response thereto the duty Roster was produced by him as part of his evidence. The duty Roster, so long as it remains current is in the custody of the Chief Warder who has to maintain it under section 178 (2) of the Jail Manual. After it is completed, it is transferred to the office and th e Chief Jailor as the ministerial head must be held to be the custodian subject, of course, to the administrative control of the Superintendent.

The

G. S. VI—G/32]

Confidential & Immediate
3 d/f

SUBJECT.....

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Diary No. of letter replied to

General and Revenue Secretariat

( )

, the *191*

Section

File No.

Serial No

D.O No. G22689

Date of issue 28/5/21

Signed by Mr P.M.

To

B. K. Narayana Rao Esq
Supdt, Mysore Jail
Mysore

Dear Sir

I am desired to request you to be so good as to intimate by return of post whether any daily duty Roster is being maintained in the Jail and if so, from how long & under whose orders it is being maintained

28/5

P.M. 28/5

over.

3 1/1

Immediate

G. R. S. VI—G/32]

SUBJECT.....

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Diary No. of letter replied to.....

General and Revenue Secretariat

( )

, *the* *191*

Date of issue 28/5/21

Signed by Mr R.M.

Section

File No.

Serial No.

D.O. No. G 22688

To

The I.G.P. Sirmur

Dear Sir

With reference to the correspondence ending with your D.O. letter No 738/158-20 dt 25.5.21, I am desirous to enquire when and by whom & under whose orders the daily Duty Roster was produced before you and who was the person custodian in whose Custody it was?

I am also to point out that a copy of the daily Duty Roster, has been received from 8th May to 23rd May 1921.

over.

D1
28/5

P. 28/5 Kindly be sent at once with the reasons

Ex

G. R. S. III-21

General and Revenue Secretariat.	File No.	of 19

Serial No.

174

174

Bangalore
28th May 1921

Dear Sir

Your D.O. No. G 22687 Pris.
dated the 28th inst. I beg to enclose herein the statement of the then Chief Warder Mr. Shamia Rao regarding the maintenance of the daily duty Roster.

Yrs. Sincerely
M. Mahadevayya

M. Mahadevayya Esq
B.A; B.L.
Asst. Secretary
to Govt.

NOTE—Contn. sheet.

Chief Warder, I was preparing the
Duty Roster. Duties were allotted once a week
& weekly duty rosters were prepared by me
& signed by the Chief Jailor. The daily rough
duty roster was not maintained before &
is not being maintained now. Rough daily
duty roster was being prepared by a convict for some
months, as per instructions personally given
by the Chief Jailor, but I was not seeing
the men. The daily rough duty roster is
not a recognized or authorized register.

31.10.20

Chandra
Hd Clerk & Ag. Chief Warder

G.R.S. III—3]

111

Routine Notes.

[To be used only for notes, requisitions, etc., not intended for permanent record.

D°. Rly Work 2716/21

The Jail
Mysore.
29.5.21.

176

Dear Sir,

In reply to your D.O. G 22689/Pris received just now I submit the following information :-

A. (1) There is no daily duty roster maintained - but a weekly Duty Roster is maintained for the Warder establishment. Every week the duties are changed. Every man of the warder establishment remains usually at one particular duty for ~~about~~ 7 days - except in the case of store orderly + Supdt orderly who may be kept on same duties for longer periods.

(2) There is records of this roster being maintained from 1908 in this jail - It may have been maintained even earlier.

(3) I regret I cannot trace out any order regarding this register. Further search will be made + if any is discovered it will be communicated to you.

B. (1) There is no duty roster maintained for others than Warder establishment (i.e. Jailer

N.B.—Should routine notes be written on small slips, the notes must be copied, or slips pasted on this form.

C. R. S. VI—G/32]

SUBJECT.....

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.....

Diary No. of letter replied to.....

General and Revenue Secretariat

( )

, the *191*

Date of issue 30/5/21

Signed by Mr. P. M.

Section Pris

File No. 40-G

Serial No.

D.O. **No.** G 22899

To

Hearty. The V.S. of Prisons

With reference to your

letter no 693/95-20 dt. 21.5.20 re-

-garding The ~~six~~ over detention

of six prisoners of The B.O. Jail

I am desired to request you

to be so good as to submit

The explanation of the Superintendent

of the Jail in the matter if it has

already been received. If not,

it may be obtained and forwarded

in 3. days.

over.

30/5 D 30/5 Entry

Jamadar

G.R.S. III—3]

Routine Notes.

[To be used only for notes, requisitions, etc., not intended for permanent record.]

171

D.O.
No.764 Office of the Inspector-General of Prisons
158-20 in Mysore, Bangalore,
Dated, 1st June 1921.

Dear Sir,

In continuation of my D. O. letter No.758/158-20 dated 30th May 1921, I beg to submit herewith the explanation obtained from the Superintendent - Bangalore Central Jail in connection with the overdetention of six prisoners in the Jail.

Yours sincerely,

S. Shivaram

To

P. Mahadevayya Esqr., B.A.,B.L.,
Assistant Secretary to Govt.,
G.R.S., Bangalore.

Such routine notes be written on small slips, the notes must be copied, or slips pasted on this form.

180

No. 808 / Gen / F. 41

Office of the Superintendent,
Central Jail.

OFFICE OF THE INSPECTOR GENERAL OF PRISONS IN MYSORE, BANGALORE.
REGD NO. 920.
1 JUN 1921

Dated Bangalore, 31st May 1921.

From

Mahomed Obeidulla, Esqr.,

Superintendent, Central Jail, Bangalore.

A

To

Dr. H.B. Mylvaganam, F.R.C.S., (Eng.), &c.,

Inspector-General of Prisons in Mysore, Bangalore.

Sir,

With reference to your docket No. 759/158-20 dated the 30th instant calling for my explanation re- the over-detentions detected during the inspection of Jail Registers &c., I have the honor to state that the matter has been fully explained in the statement submitted with my letter No. 551/F.41 dated 29/4/20, a copy whereof is herein enclosed for ready reference . A perusal of this statement will show that the dates in the Registers tallied, but the actual mistake was traced by me after examining the old Mark Registers and comparing them with the remission sheets. The 6 prisoners referred to were admitted into the Jail before I took charge of it and when once the mistake crept in, it continued and it was not possible to trace it from the current Remission Sheets. I did not report these cases of discrepancies in the remissions as I was given to understand that there was no precedent for submitting reports in such matters. I find from the registers that no reports were made by my predecessors in the following few cases which have since come to my notice wherein there seem to be discrepancies in the dates of release of these prisoners:- Nos. 2842, 5464, 1246, 1332, 1366, [redacted].

Received 11-35 AM 1/6/21

2. But, since this contraversy arose, I have been reporting such cases to the Inspector-General of Prisons as can be

seen

seen from my letter No. 383/F.41 dated 24/3/20. I have since overhauled the Old Mark Registers and had them compared with the Remission Sheets and rectified the mistakes in several cases an instance of which can be seen from a perusal of my letter No. 967/F.41 dated 28/7/20. [illegible]

3. There are about 500 prisoners under the Remission System, and I was checking a fair number of Remission Sheets every quarter, and after the above contraversy, I have been checking every Remission Sheet myself which is a very laborious task and takes away all my time.

I have the honor to be,

Sir,

Your most obedient servant,

[signature]

31.5.21.

Superintendent.

ate of ual lease	Remarks.
11.19	The dates in the Registers tally, but the mistake lies in not bringing forward the adjudged date of release from the old Remark Register into the new Remission Sheet which is 22.11.19 and deducting therefrom the subsequent remissions, the correct date of release would be 31.10.19 i.e. 3 days delay. Tanjumdiah now in the Inspector General of Prisons' Office was the Remission Clerk at the time of the old Remark Register is not initialled by the Chief Jailor though the entries and column for it.
4.11.19	Here again the dates in the Registers tally, but the mistake lies in not bringing forward the adjudged date of release from the old Remark Register into new Remission Sheet which is 8.11.19. The correct date of release would be 15.11.19 i.e. one day early. Nanjundiah was the Remission Clerk and the Chief Jailor has not initialled in the old Remark Register.
3.11.19	Same remarks as against prisoner No. 3636
10.11.19	In this case the date of release viz 10.11.19 is correct and the prisoner has been released on the correct date. But the entries in the Registers are wrong owing to the mistake on the part of the Chief Jailor in adding a separate number to one of the convictions in another case in a sentence of 4 months while the prisoner had already undergone and was released. The Chief Jailor should have given a separate number when the prisoner was brought to the Jail convicted in another case. This mistake was found out by me on 4.11.19 and pointed out to the Chief Jailor and the entries corrected in the several Registers. This wrong entry in the Admission Register is not under the initials of the Chief Jailor
23.10.19	This is not a case under the Remission Rules. The prisoner was convicted on 18.1.19 to 3 months R.I. and fine of 25 Rs in default one month R.I. First he was released on bail on 10.3.19 and again on 26.6.19. On the first occasion he was at large for 44 days and on the 2nd occasion for 114 days. When he was re-arrested and re-admitted for the 2nd time the date of release has not been revised by the Chief Jailor. The correct date of release is 22.10.19 but he was released on 23.10.19 i.e. one day later This is the fault of Chief Jailor.
2.11.19	This prisoner was convicted under Section 123 C.P.C. and as such was not granted special Remissions on the occasion of Signature of Peace but by mistake he was granted one month's special Remission on 29.7.19 which was cancelled as the man's conduct was doubtful. According to Remission Sheet the prisoner is given Jail Remission of 72 days but according to Admission Register it is only 68 days. But 68 days have been deducted and the prisoner is released on 2.11.19. If 72 days had been deducted he would have been released on 29.10.19. In this case also the adjudged date of release has not been brought forward from the old Remark Register (which is also not initialled by the Chief Jailor) into the new Remission Sheet

"Copy"

Superintendent

Serial No.	Prisoner No.	Name of prisoner	Sentence	Date of Sentence	Warrant date of release	Special remission	Jail remission (in days)	Date of release as per marks Register i.e. Remission Sheets	Date of release as per Special Remission Sheet
1	3636	Venkatappa Fine of Rs 50/-	1. 6. . or . 2. .	29. 6. 18	28. 12. 19 or 28. 2. 20	. 1. 19 . 1. .	. . 39	3. 9. 19 or 3. 11. 19	3. 9. 19 or 3. 11. 19
2	3623	Lakshmiah Fine of Rs 50/-	1. 6. . or . 3. .	25. 6. 18	24. 12. 19 or 24. 3. 20	. 1. 21 . 1. .	. . 49	14. 8. 19 or 14. 11. 19	$17\frac{9}{19}$ or $17\frac{12}{19}$ $17\frac{8}{19}$ or $17\frac{11}{19}$
3	3637	Munisamy Fine of Rs 50/-	1. 6. . or . 2. .	29. 6. 18	28. 12. 19 or 28. 2. 20	. 1. 19 . 1. .	. . 39	3. 9. 19 or 3. 11. 19	$3\frac{9}{19}$ or $3\frac{11}{19}$
4	3929	Manjaabhi Manja	1. 4. .	5. 10. 18	4. 2. 19 4. 2. 19	. 1. 10 . 1. .	. . 14	10. 11. 19	16. 12. 19 16. 11. 19
5	4244	Bhima Fine of Rs 25/-	. 3. . or . 1. .	18. 1. 19	31. 5. 19 or 30. 6. 19				
5	3061	Durga	2. . .	10. 1. 18	9. 1. 20	. 1. .	. . 72 68	28. 9. 19	4. 10. 19

vide Annexure No. 6(37)

Central Jail
Bangalore
31. 10. 21.

No. 908
F. 41.

Office of the Superintendent
Central Jail.

Dated Bangalore, 31st May 1921.

From

Mahomed Obeidulla, Esqr.,
Superintendent, Central Jail, Bangalore.

To

Dr. H.B. Mylvaganam, F.R.C.S., (Eng.), &c.,
Inspector-General of Prisons in Mysore. Bangalore.

Sir,

With reference to your docket No. 759/158-20 dated the 20th instant calling for my explanation re- the over-detentions detected during the inspection of Jail Registers &c I have the honor to state that the matter has been fully explained in the statement submitted with my letter No. 551/F.41 dated 29/4/20, a copy whereof is herein enclosed for ready reference. A perusal of this statement will show that the dates in the Registers tallied, but the actual mistake was traced by me after examining the old Mark Registers and comparing them with the remission sheets. The 6 prisoners referred to were admitted into the Jail before I took charge of it, and when once the mistake crept in, it continued and it was not possible to trace it from the current Remission Sheets. I did not report these cases of discrepancies in the remissions as I was given to understand that there was no precedent for submitting reports in such matters. I find from the registers that no reports were made by my predecessors in the following few cases which have since come to my notice wherein there seem discrepancies in the dates of release of these prisoners:- Nos. 2842, 5484, 1246, 1332, 1366,

2. But, since this contraversy arose, I have been reporting such cases to the Inspector-General of Prisons as can be seen

seen from my letter No. 383/F.41 dated 24/3/20. I have since overhauled the Old Mark Registers and had them compared with the Remission Sheets and rectified the mistakes in several cases, an instance of which can be seen from a perusal of my letter No. 967/F.41 dated 28/7/20. [redacted]

3. There are about 500 prisoners under the Remission System, and I was checking a fair number of Remission Sheets every quarter, and after the above contraversy, I have been checking every Remission Sheet myself which is a very laborious task and takes away all my time.

I have the honor to be,

Sir,

Your most obedient servant,

Sd/. Md: Abeidhuleen

Superintendent.

Copy forwarded with compliments to Mr. N. Nadarajah, Assistant Secretary to Govt. for information

31.5.21

Supt.
B.C. Jail

Letter No. 967/F.41 dated 28/7/20 from the Superir Central Jail, Bangalore; to the Inspector-General of I in Mysore, Bangalore.

With reference to your docket No. 1097-95-20 dat 22nd instant observing that the explanation of Chief J Mr. Wright in connection with the overdetention of pri Rosy alias Velongany discloses the overdetentions of p Nos. 3147 Ali Beri, 1009 Era and 4099 Rame Gowda and re ing to report these cases in detail, I have the honor as follows:-

2. Prisoner No. 3147 Ali Beri was sentenced on 1/2 suffer three years' rigorous imprisonment in Kadur Ses Case No. 5 of 17-18 and so his warrant date of release 31/1/21. He earned 93 days Jail remission and was grant months' special remission in July 1919. His date of r was adjudged to 30/5/20 on which date the prisoner wa from the Jail without being overdetained, as can be s the several registers and the prisoner's Remission Sh to the introduction of the new remission sheets, ther old register of marks and earnings in which remission as well as the date of release adjudged at the end of month including gratuity earned by the prisoners was Prisoner No. 3147 Ali Beri's remission is noted in the mark register from March 1918 to July 1919 which amounted 63 days and accordingly the adjudged date of release then 29/11/20. When the New Remission Sheets were introduced in supersession of the old mark registers the total number of days of remission earned by prisoners had to be brought fo ward in the new remission sheets. The clerk who totalled t number of days made a mistake in trasferring from the old gister to the new remission sheets 64 days instead of 63 d While committing a mistake in totalling up and bringing fo the number of days of remission earned by prisoner Ali Ber the clerk has correctly ~~has~~ brought forward the adjudged d of release (29/11/20) which is calculated month by month

explanation the visit of a clerk from the court of the First Class Magistrate, Closepet Sub-Divion. I recollect Mr. Wright brought a man to me saying that he was from Closepet Sub-Division Office, who said that the fine of Rame Gowda was received, but as no intimation had been received from the court, I told him that the prisoner could not be released till the receipt of intimation from the court and the man went away. As stated above the intimation was received here on 18/3/19 and was given effect to the same day.

6. It may be seen from the above that there has been no overdetention in the Jail in any of the cases reported by Mr. Wright.

" C O P Y "

Superintendent,
B.C. Jail.

G. R. S. VI—G/32]

SUBJECT.....

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Diary No. of letter replied to——————

General and Revenue Secretariat

( )

, the *191*

Date of issue——————

Signed by——————

Section

File No.

Serial No

D.O. No. G 23168

To The Supdt. B.B. Jail

Dear Sir

With reference to your letter No. $\frac{88}{7.41}$ dt 31.5.21 forwarding a copy of your letter dt 31.5.41 addressed to the I.G. of Prisons, I am directed to state that a copy of your letter No. $\frac{962}{7.41}$ dt 28/7/20 has been received instead of the copy of your letter No. $\frac{551}{7.41}$ dt 29/4/20 referred to in your letter under reference and to request that the letter referred to may kindly be forwarded to this office with the bearer today.

Yours faithfully

D.I. 1/6.

1/6.

189

189

Bangalore
1st June 1921

Dear Sir,

Your D.O. letter No. G. 23168 dated the 1st inst. just to hand. I sent only a copy of the statement which was sent along with my letter No. 551 F. 41 dated 29.4.21. I shall now get a copy of No. 551 F. 41 typed & send it you. As it is a long letter it will take some time to type it. May I send it to your place Bombay evening.

Yrs. sincerely
M. Venkatarayya

M. Venkatarayya Esq
Accountant General B.A., & E.L.

B

1919

Serial No.	Prisoner No.	Name of prisoner	Sentence.	Date of sentence.	Warrant date of release.	Special remission.	Jail remission (in days)
1	3636	Venkatappa	1 6 "	29.6.18	28.12.19	" 1 19	
		Fine of Rs: 50/-	" 2 "		or 28.2.20	" 1 "	
2	3623	Lakshmiah	1 6 "	25.6.18	24.12.19	. 1 21	
		Fine of Rs: 50/-	" or 3 "		or 24.3.20	" 1 "	
3	3637	Munisami	1 6 "	29.6.18	28.12.19	" 1 19	
		Fine of Rs: 50/-	" or 2 "		or 28.2.20	" 1 "	
4	3929	Mariga alias	1 4 "	5.10.18	4.2.19	" 1 10	
		Chick Mariga		4.2.19	3.2.20	" 1 "	
5	4244	Bheema	" 3 "	18.1.19	31.5.19		
		Fine of Rs. 25/-	or 7		or 30.6.19		

	Date of release as per mark register i.e. Remission sheets.	Date of release as per special Remission sheet.	Date of actual release.	Remarks.
9	3·9·19 or 3·11·19	3·9·19 or 3·11·19	3·11·19.	The dates in the register tally, but the mistake lies in not bringing forward the adjudged date of release from the old mark Register into the new Remission sheet which is 2.11-19 and deducting therefrom the subsequent remissions, the correct date of release would be 31-10-19 i.e. 3 days delay. Daisyundick now in the Inspector-General of Prisons' office was the remission clerk. The entry in the old mark Register is not initialled by the Chief Jailor though there is a column for it.
19	14·8·19 or 14·11·19	17 9/19 or 17 12/19 17 8/19 - 17 11/19	14·11·19	Here again the dates in the Registers tally, but the mistake lies in not bringing forward the adjudged date of release from the old mark Register into new Remission sheet which is 8·11·19. The correct date of release would be 15·11·19 i.e. 1 day early. Daisyundick was the remission Clerk and the Chief Jailor has not initialled in the old mark Register
9	3·9·19 or 3·11·19	3 9/19 or 3 11/19	3·11·19	Same remarks as against prisoner No 3636.
14	10-11-19	16-12-19 16-11-19	10·11·19	In this case the date of release viz, 10·11·19 is correct and the prisoner has been released on the correct date. But the entries in the Registers are wrong owing to the mistake on the part of the Chief Jailor in adding a separate sentence of 1 year in case to a sentence of 4 months which the prisoner had already undergone and was released. The Chief Jailor should have given a separate number when the prisoner was brought to the Jail convicted in another case. This mistake was found out by me on 4.11.19 and pointed out to the Chief Jailor and the entries corrected in the several registers. This wrong entry in the admission Register is under the initials of the Chief Jailor
23	10.1.19			This is not a case under the Remission Rules. The prisoner was convicted on 10.1.19 to 3 months rigorous imprisonment

				~~- ment and fine of 25 rupees, in default one month rigorous imprison- ment. First he was released on bail on 10.3.19 and again on 26.6.19. On the first occasion he was ab large for 44 days and on the 2nd occasion for 114 days. When he was re-arrested and re-admitted for the 2nd time the date of release has not been revised by the Chief Jailor.. The correct date of release is 22.10.19, but he was released on 23.10.19 i.e. 1 day later. This is the fault of Chief Jailor.~~
			Late by 1 day	
72 68	28.9.19	4.10.19	2.11.19	This prisoner was convicted under section 123 C.P.C. and as such was not granted special remission on the occasion of Sivrahtre of Peace, but ~~may~~ by mistake he was granted one months' special remission on 29.7.19 which was cancelled as the man's conduct was doubtful. According to Remission Sheet the prisoner is given Jail remission of 72 days but according to Remission Register it is only 68 days. But 68 days have been deducted and the prisoner is released on 2.11.19. If 72 days had been deducted he would have released on 29.10.19. In this case also the adjudged date of release has not been brought forward from the old mark Register (which is also not initialled by the Chief Jailor) into the new remission sheet.

"Copy"

Superintendent

HG

6	3061	L. Durga	21	10.1.18	9.1.20	0	1	0

Bangalore Central Jail
Dated 31.5.21.

Letter No. 551/F.41 dated 29/4/20 from the Superintendent Central Jail, Bangalore; to the Inspector-General of Prisons in Mysore, Bangalore.

With reference to the correspondence ending with your No. 672/95-20 dated the 27th instant re- the submission of explanation about the discrepancies in the dates of release and overdetention of certain prisoners, I have the honor to submit herewith a statement relating to six prisoners observed during your inspection, and as regards the other two prisoners I beg to invite reference to my letter No. 383/F.41 dated 24/3/20 wherein I have reported the details of these cases.

2. The Remission Sheets according to the New Jail Manual were not opened till July 1919 and, when they were opened and the names of prisoners to whom the Remission System applies transferred from the Old Mark Register to the New Remission Sheets. the adjudged dates of release and the amount of remission earned till then do not seem to have been correctly brought forward in the New Remission Sheets. Several entries in the old Mark Register have not been initialled by the Chief Jailor. If the Chief Jailor had, at least, supervised the work of the clerk when the New Remission Sheets were prepared, no errors would have crept into them, and, for which I very much regret. A perusal of the remarks in the statement will show the error in each case.

3. I beg to submit herewith the explanation tendered by the Chief Jailor which I am inclined to think to be more a complaint rather than an explanation, and leave it for the decision of the Inspector-General.

4. The case of prisoner No. 5573 Lakshmipathi referred to in the Chief Jailor's explanation is an admission of his mistake due to wrong calculation and he has initialled the wrong date of release viz, 23/3/20 in the Admission Register, when the prisoner was re-admitted. Remission system did not apply to this prisoner.

5. As regards the prisoners under the Remission System,

the

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the Chief Jailor shirks every responsibility, when as per Section 149 of the Mysore Jail Manual, he is chiefly responsible not only for the strict-enforcement for the terms of the warrant but also that no prisoner is, on any account, released before his time or kept in Jail beyond the termination of his sentence. He thinks, perhaps, he is responsible only as regards short-termers who do not come under the Remission System, but even in this he has failed, as out of the 8 prisoners under reference two, viz, Nos. 4244 Bhima and 5573 Lakshmipathi were short-termers with small sentences.

vide R.291

6. As regards the case of prisoner No. 5324 Gubbi Budan Sab which is given so much prominence in the Chief Jailor's explanation, I beg to state as follows:- This prisoner had been awarded 3 months simple imprisonment and a fine of Rs. 100/- or one month additional imprisonment and also under Section 106 C.P.C. to execute a bond with two sureties for keeping the peace for one year from the date of release. On the expiry of the sente i.e., on 27/3/20, the prisoner was produced before me for re with the Admission Register &c., duly [illegible] initialled b the Chief Jailor and after I signed the warrant it was found out that the prisoner had not furnished security and he was therefore detained in the Jail under Section 213 of the Jail Manua and released on 1/4/20 after furnishing necessary security to the satisfaction of the 1st Class Magistrate, Gubbi Sub-Division If the Chief Jailor knew the provisions of the above Section, he would not have signed in the Admission Register and in the Release Diary, and most particularly in the Contingent Register maintained by himself entered the date of release of this prisc as 27/3/20 and entered the amount of batta payable to the prison on that date.

7. Mr. Wright says that I have been trying for years to injure him in every way, but my previous confidential reports as Superintendent of this Jail will show what opinion I had of him.

"C O P Y"

1.6.21.

Superintendent,
Bangalore Central Jail.

N.D. 9 P.M. Private Secretary's Office P.M. 1/6/21

Bangalore
1st June 1921.

Dear Sir

Your D.O.No.Q 23168 of the 1st instant. — I herewith send copy of my letter no. 551/F.41 dated 29th April 1920. —

Yours Sincerely
K.P. Puttanna

D. Chandrasekharaya Esq
B.A; B.L.
Asst. Secretary
to the Govt. of
H.H. the Maharaja
of Mysore

G. R. S. VI—G/32]

SUBJECT.....

Diary No. of letter replied to

General and Revenue Secretariat

( )

, the *191* .

Section

File No.

Serial N

D.O No. 23821

Date of issue 3/6/21

Signed by Mr. P. M.

To

The I. G. of Prisons.

Dear Sir

With reference to the Correspon
ending with your D.O. letter No. 764/158-20 d
1/6/21, I am desired to request you
to be so good as to furnish the
information & the records in connec
with the three Subadhies of the B.G.M
& an explanation of the Chief
Jailor's allegation no 6(22) viz
That, from the time the Subadh has
come to the Jail, he has never

over.

Checked the remission sheets & here
There have been overdetentions that
the Subadh spent his time in reading
the Shastras or listening to discourses
Lectures etc

P.T.O

The Report of the Bd. Jail Surgeon

"How can Mr. Wright say that I never checked the Remission Sheets when he has never looked into them. Though he ought to have checked them in detail as ministerial head of the institution. The previous Gaolor were doing this and Mr Wright was also doing the same before & came it was after my coming, saying that it was none of his business. The records connected with the over detentions of some of the prisoners submitted to the J.P. of prisons will show how he failed in his duty.

Kindly send Remission Sheets or Registers showing that previous Gaolors were checking them & that Mr Wright was also doing the same before as stated above.

Original Correspondence entered with your letter No 1056 8/15. 20 referred to by the Report of Surgeon & Chaplain & allegation regarding Railway Fare to prisoners, No 6 (41) may also be sent

List of enclosures.

Copied by

Examined by

G. R. S. 27]

GENERAL AND REVENUE SECRETARIAT.

(Continuation sheet draft form.)

GP.B—20,000—7-7-14

Together with your proceedings No 25 S - 25/36-0997. 2. 1920 referred by the District in his explanation & allegation & No 6(19) re the distribution of work

3. In para 2 of the Copy of the District's letter No 551/7.41 of 29.6.20 it is stated that the Remission sheets were opened in July 1925 & the names of prisoners transferred from the Old Mark Registers & the new Remission sheets & that the adjusted dates of release & the amount of remission earned till then ~~did not seem~~ & have not been correctly brought forward in the new Remission sheets & that several entries in the Old Mark Registers had not been initialled by the Supdt.

With reference to the above I am to enquire as follows.

G. R. S. 27]

GENERAL AND REVENUE SECRETARIAT.

(Continuation sheet draft form.)

Were the Old Mark Registers being Checked & initialled by the Chief Janitor before 1.4.21. Some sample registers may be sent to show it—

Under whose orders were the old entries transferred to the remission sheets & were no arrangements made to check & scrutinize the said remission sheets after they were prepared ?

4. ~~Statement 3 of the~~ The Copy of the Chief Janitor's explanation & the Confidential reports about him referred to by the Deputy in paras 3 & 7 of his letter no $\frac{551}{7.41}$ of 29/4/21. may also be sent——

5. Please see Deputy's letter no $\frac{808}{7.41}$ & 31.5.21. Towards the end of para 1 of the letter, he

GPB—20,000—7-7-14

G.R.S. 27]

GENERAL AND REVENUE SECRETARIAT.

(Continuation sheet draft form.)

has stated that no reports were made by his predecessors in the following few cases who appear to have since come to his notice wherein there seems to be discrepancies in the dates of release of these prisoners. (Nos. 2842, 5084, 1246, 1332 & 1366.) A detailed report about the above cases may be submitted together with a copy of this deptl letter no 962/7.41 of 28/7/20 referred to in para 2 of the above letter.

6. I am also to enquire on what date the Supdt of the B.G. Jail went on absconding and resumed his duties after his return.

D. 31/7/20

D. 31/7/20

G. R. S. III-2j

General and Revenue Secretariat. | File No. of 19

Serial No

D. O. No. 104 7.4

OFFICE OF THE SUPERINTENDENT,
CENTRAL JAIL,

Dated, Bangalore 4th June 1921

Dear Sir,

As desired by you, I herewith send per bearer 2 Mark Registers, Nos. I & 2, 4 Admission Registers Nos. 157, 82, 141, 140, 2 Punishment Books, one commencing from 25/11/14 and the other from 2/7/17.

2. I also send herewith the following papers:-

(a) One file of Inspector-general of Prisons Proceedings No. 295-96/26-07 dated 2/7/20 re - the distribution of work;

(b) One file re- the dismissal of Mr. Krishna Shetty and resignation of Mr. Srinivasa Rao;

(c) One file re- the sale of an old bull of the Jail and purchase of a pair of bullocks;

(d) Copy of Mr. Wright's explanation referred to in para 3 of my letter No. 551/F.41 dated 29/4/20;

(e) Inspector-General's Nos. 1056/159-19 dated 15/7/20 re the recovery of Railway penality from Mr. Wright.

3. The Registers and the papers may kindly be returned early when done with.

Yours sincerely,

To.
P. Mahadevayya, Esqr., B.A., B.L.,
Asstt. Secy. to Govt. of H.H.
the Maharaja of [illegible]
[illegible]galore.

NOTE—Contn. sheet.

200 / 201

D. O.

No. 75 Office of the Inspector-General of Prisons
158-20 Encl. 2 files. in Mysore,

Dated, Bangalore, 6th June 1921.

Dear Sir,

Your D.O. letter No.G.23821/Pris dated 3-6-21.-

- 2 -

1. The remission sheets and mark registers concerned are reported to have been submitted to Government direct by the Superintendent Central Jail on 4th June 1921.

2. The original correspondence ending with this office letter No.1056/159-19 dated 15th July 1920, as also this Office Proceedings No.295-96/26-07 dated 7th February 1920 is forwarded herewith as called for.

3. The transfer of entries from the old mark registers to the new remission sheets was effected under the orders of the Superintendent who reports that he had asked the Chief Jailor to supervise the work..

4. The explanation of the Chief Jailor referred to in para 3 of the Superintendent's letter No.551/F. 41 dated 29th April 1920 was submitted to Government in original with this Office letter No.693/95-20 dated 1st May 1920. The confidential reports referred to in para 7 of his letter have also been submitted to Government in original from time to time.

5.

Letter No.967/F. 41 dated 28th July 1920 from the Superintendent Central Jail, Bangalore, to the Inspector-General of Prisons in Mysore, Bangalore.

-@-@-@-@-@-@-@-@-@-

With reference to your Docket No.1097/\$5-20 dated the 22nd instant observing that the explanation of Chief Jailor Mr. Wright in connection with the overdetention of prisoner Rosy Alias Velongany discloses the overdetentions of prisoners Nos. 3147 Ali Beri and 1009 Era and 4099 Rame Gowda and requesting to report these cases in detail, I have the the honor to state as follows :-

2. Prisoner No.3147 Ali Beri was sentenced on 1/2/18 to suffer three years' rigorous imprisonment in Kadur Sessions Case No. 5 of 17-18 and so his ~~sentence~~ warrant date of release is 31/1/21. He earned 93 days Jail remission and was granted 5 months' special remission in July 1919 His date of release was adjudged to 30/5/1920 on which date the prisone was released from the Jail without being overdetained, as can be seen from the several registers and the prisoner's Remission Sheet. Prior to the introduction of new remission sheets, there was the old register of marks and earnings in which remission earned as well as the dates of release adjudged at the end of each month including gratuity earned by the prisoners was noted. Prisoner No. 3147 Ali Beri's remission is noted in the old mark register from March 1918 to July 1919 which amounted to 63 days and accordingly the adjudged date of release then came to 29/11/20. When the new Remission Sheets were introduced in supe-session of the old mark registers, the total number of days of remission earned by prisoners had to be brought for-ward in the new remission sheets. The clerk who totalled the number of days made a mistake in transferring from the old register to the new remission sheets 64 days instead of 63. While committing a mistake in totalling up and bringing forward the number of days of remission earned by prisoner Ali Beri, the clerk has correctly brought forward the adjudged date of release (29/11/20) which is calculated month by month in the old mark register. According to the old mark register, this prisoner had earned 63 days' remission and 5 months and 30 days as per new

remission

remission sheet subsequently. In all 5 months and 93 days
If Mr. Wright had at least, when he reported this case as one of overdetentions referred to the old mark register and the new remission sheets, totalled up the number of days of remission earned by or granted to the prisoner and worked up the date on which the prisoner was to be released and compared it with the date on which, under his own initials with date, Ali Beri was released, as noted in the convict and release registers and the prisoner's remission sheet, he would not have made this complain blaming others without feeling himself responsible for his own negligence.

3.. Prisoner No. 1009 Era (Erappa) was sentenced on 22/3/1916 to 5 years' rigorous imprisonment in Tumkur Sessions Case No. 10 of 15-16. So his warrant date of release is 21/3/1921. The prisoner has earned 149 days' Jail remission and had 6 months' special remission granted to him in July 1919, and therefore became entitled for release on 22/4/1920 on which date he was actually released, as can be seen from the Convict and Release Registers and the prisoner's remission sheet. In this case also the prisoner has, according to old mark register, earned 122 days' remission, and 6 months and 27 days as per new remission sheet - subsequently. In all 6 months and 149 days.

4. Prisoner No.4099 Rama Gowda was sentenced on 6/12/1918 by the First Class Magistrate, Closepet Sub-Division, to suffer 3 months' rigorous imprisonment and to pay a fine of Rs. 100/- or in default to suffer additional imprisonment for three months. His substantive sentence expired on 5/3/19 and the imprisonment in default of payment of fine commenced from 6/3/19 but on 18/3/19 intimation slip No. 204 dated 17/3/19 was received from the Court of the First Class Magistrate Closepet Sub-Division that the fine of Rs. 100/- imposed on Rame Gowda had been realized and the prisoner was accordingly released the same day viz., 18/3/19 as can be seen from the registers. I here in enclose the fine intimation slip for favour of perusal.

5. In this connection Mr. Wright describes in his explanation

explanation the visit of a clerk from the court of the First Class Magistrate Closepet Sub-Division. I recollect Mr. Wright brought a man to me saying that he was from Closepet Sub-Division Office, who said that the fine of Rame Gowda was received but as no intimation had been received from the court. I told him that the prisoner could not be released till the receipt of intimation from the court and the man went away. As stated above, the intimation was received here on 18-3-19 and was given effect to the same day.

6. It may be seen from the above that there has been no overdetention in the Jail in any of the cases reported by Mr. Wright.

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" C O P Y "

For Inspector-General of Prisons.

G.R.S. VI G 34]

SUBJECT.....

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Diary No. of letter replied to.....3321.....

General and Revenue Secretariat

( )

, *the* *192*

Date of issue...17.6.1932.....

Signed by Sir S. Srinivasaiyar

May this be

i Printed ?

ii treated as a standing order ? Si ii

iii published in the Gazette, English Part ?

iv translated ?

v placed at the disposal of the press ?

vi published in the Gazette, Kannada Part ?

Section Pris

File No. 40-K9

Serial No. 13

Proceedings of the Government of His Highness the Maharaja of Mysore

Read—

Letter no. 296/62-20 dt. 7.2.20 from the D.G.P. Bangalore forwarding copy of his note & in Kannada & the D.C. Kolar report on 30.12.19 & bringing to notice certain irregularities in the case of detention of persons.

Concerning the release

2) in correspondence ending with letter no. 1676/158-20 dt. 13.11.20 from the Dy. of Bellary, enclosing a detailed report on the allegation made by the Chenchu Jamadar against the Supdt. of the B. & Jail, one of the witnesses thereon.

Order Thereon No. L 5727

Hitherto Curtailed

The [illegible] of the records appear of opinion that in the cases of persons detention by persons brought to notice, no serious [illegible] can be attached

to the Superintendent of Jail but
they cannot absolve him
from all responsibility
and direct that he be warned
to be more careful in future
in regard to such important
matters of Jail Administration as release of prisoners.

2nd respondent ~~the Conducting~~
the chief jailor his weight;
the Govt. consider that he has been
guilty of gross insubordination. They therefore direct
~~and that as a future punishment~~
that he be reduced to the position
the chief jailor, Mysore Jail on
Rs 125/- (the maximum of the
Rs 100-5-125)"

Secy to Govt
Jail Depts.

List of enclosures.

To
The D.J. of Prisons
The Superintendent, ~~Central~~ Jail

Copied by

Examined by

WD 1853—GPB—1,000,00—21-12-21

G. R. S. VI—G/32]

SUBJECT.....

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Diary No. of letter replied to——

General and Revenue Secretariat

( )

, *the* *191*

Date of issue 19/7/21

Signed by Mr Ca. G.

Section Pris

File No. 40-CS

Serial No. 15

No. P 586 Records books

To

The Sg. of Prisons

Sir,

I am directed to return herewith the records, register books recd from you from time to time under the marginally noted references in connection with the case of your detention and their misplacement in the D. C. Unit, as they are no longer required.

I have &c

per

18.7.21

for Secretary

over.

Despatches sent with your
No: 677 Dy 9.5.21
158-20
do — with No: 101 Dy 4.6.21
F-41
do — 738 Dy 15.6.21
158-20
Trial warrant record with.
No: 1054/95-20 Dy 15.7.20
Trial letter & records sent with
No: 791/ ~~Dy 27.3.20~~
95-20 Dy 27.5.20
3 Monday inspection books.
3 Daily Roster books

17.7.21
for
18/7

18/7

edings of the Government of His Highness the Maharaja of Myso

R e a d:-

Letter No.1465-77 dated the 7th September 1906, from the Registrar of the Chief Court of Mysore, forwarding for the or of Government, a file of correspondence regarding the over-detention in the Mysore Jail of a prisoner by name B.Khasim S

2. Correspondence ending with letter No.1681/F.14 dated the November 1906, from the Inspector General of Prisons in Mysor on the same subject.

Order thereon No.J.2595-6/Pris.43-06-4

Dated Bangalore, the 26th February 1907.

The facts of the case are briefly as follows:-

B.Khasim Sab and D.Mahamed Khasim, who were the 1st and 2nd accused respectively in criminal case No.2 of 1903-04 the file of the General Assistant Commissioner and 1st class Magistrate, Hassan District, were convicted and sentenced by tha Magistrate on the 29th July 1903 - the first accused B.Khasim Sa under section 457, Indian Penal Code, to undergo rigorous imprisonment for one year and to pay a fine of Rs.5/- and also und section 380, Indian Penal Code, to undergo rigorous imprisonment for one year with a fine of Rs.5/-, the sentences of imprisonment running concurrently; and the second accused, D.Mahamed Khasim Sab, under section 457, Indian Penal Code, to 18 months rigorous imprisonment and a fine of Rs.10/- under section 380 Indian Penal Code, to 18 months' rigorous imprisonment and a fine of Rs.10 and under section 323 Indian Penal Code to 3 months' imprisonmen the sentences of imprisonment in his case also running concurr The accused were sent with the necessary warrants to the Mysor Jail, through the District Lock-up Officer, Hassan. The 2nd accused died in Jail on the 26th October 1903 before the expir

of his sentences; but the 1st accused, B.Khasim Sab, who should have been released on the 28th July 1904 was detained in prison till the 9th June 1905. The mistake was noticed by the General Assistant Commissioner, Hassan, when the prisoner's warrant was returned to the Court with the certificate of execution of the sentence. The Magistrate drew the attention of the Superintendent of the Mysore Jail to the mistake, and the latter made a report to the Inspector General of Prisons asserting that the warrant as originally sent to him did not show that the sentences under the two sections were to run concurrently; that the prisoner was there-fore detained for 2 years, less the period of remission earned by him and that the Magistrate's Court Clerk having subsequently discovered the omission to note that the sentences were to be concurrent, interpolated the necessary words so as to give the impression that the mistake was due to the Jail officials. The Inspector General of Prisons concurs in this view, but the Chief Judge appears to hold that this view is not correct.

2. When the 2nd accused D.Mahamed Khasim died in Jail, the Jail authorities, instead of returning his warrant, sent the 1st accused B.Khasim Sab's warrant to the Court. The mistake was afterwards discovered; B.Khasim Sab's warrant was got back, and D.Mahamed Khasim's warrant was returned to the Court. Thus both the warrants were in the Court for some days - between the 9th and 16th November 1903, and the Jail Superintendent contends that the Court Clerk must have tampered with the warrants then. After careful consideration, the Government are, however, constrained to hold that this view is untenable. When the warrant of a prisoner is returned unexecuted on account of the prisoner's death, the Court Clerk has no occasion to look at the warrant very minutely but has merely to file it. If, as a matter of fact, the note that the sentences were to run concurrently had not been made in the first instance, it is unlikely that the Clerk's attention would have then been drawn to the omission. The note that the sentences were to run concurrently is found in the Court warrant Register, which has necessarily to be written up at the time the warrant is made out, and the District Magistrate in his report to the Registrar

of

of the Chief Court on the subject says that there is no reason to suspect that this note was subsequently interpolated in the warrant Register. This also receives support from the fact that long before the warrants were returned to the Court, the Police Officer who referred to the warrant Register to write up the Finger Impression Register found that the note had been made in the warrant Register. Further, in the Hassan District Lock-up Register, the note that the sentences were to run concurrently is found in the case of the 2nd accused, D.Mahamed Khasim Sab, but is not found in the case of the 1st accused, B.Khasim Sab. The Jail Superintendent attempts to explain this by suggesting that the Court Clerk may have persuaded the Lock-up Duffedar at Hassan to make the alteration in the case of the 2nd accused. But this cannot be believed, for, if the Clerk was able to persuade the Duffedar to make the alteration in the case of one prisoner, he could have done the same with regard to the other prisoner as well; in fact, he would have been more anxious about the entry relating to the latter who was alive, than about the entry relating to the former, who was dead. Besides, according to the Jail Superintendent's theory, the Clerk must have known the mistake he had made long before the sentences expired. The wisest course for him to adopt would have been at once to bring the matter to the notice of the Magistrate, who would have written to the Jail authorities and rectified the mistake. All that he need have feared would have been a reprimand or some slight punishment. The theory that the Clerk not only preferred to commit a forgery, which was bound to come to light when the warrant was finally returned, but was also able to persuade the Lock-up Duffedar to connive at, and aid him in, this risky and dishonest course, is, one that is most difficult to believe.

3. The words "the sentences running concurrently" in the warrant of the prisoner, who was illegally detained, are, for want of space in the proper place, inserted a few lines lower down and connected with the preceding words by a long arrow. The most probable explanation of the mistake is that both the Hassan Lock-up Duffedar

Duffedar and the Mysore Jail officials did not notice these words. The Jail Superintendent says that a careful examination of the warrant under a magnifying glass shows distinct indications that the words were subsequently added; but Government are unable to see any such indications. Under these circumstances, the Government agree with the Chief Court in holding that this extremely regrettable mistake was due, not to the Court Clerk, but to the carelessness of the Jail officials.

4. The Government must also comment on the responsibility of the Jail Superintendent for this grave mistake. This mistake would not have occurred if the Jail Superintendent had understood and acted up to the provisions of para 19 of the Mysore Jail Manual of 1894, which requires the submission, with the Annual Report of the Jail, of a certificate by the Superintendent that he has examined the warrants of all the convicts in his Jail and found them to be correct. The Inspector General of Prisons has elicited from the Jail Superintendent that his examination has been of the most perfunctory nature and that the annual certificates have been worthless. The Government direct that their serious displeasure be communicated to Mr. P.S.Achyuta Rao, the Jail Superintendent, for this extremely discreditable incident.

5. It is understood that the practice in the Mysore Jail is to enter the particulars of every warrant in the "Admission Register", and that reference is afterwards made to the entries in the Admission Register and not to the original warrant. This is dangerous, since, if a mistake is made in the Admission Register there will afterwards be no chance of its being discovered and rectified. The responsibility of seeing that the entries in the Admission Register are correctly made lies, next to the Jail Superintendent, on the Jailor. The Jailor Mr. Hutson to whose carelessness the mistake now brought to light is due, has already been dismissed the service for other reasons.

6. The attention of the Chief Court is invited to the fact that the warrant forms now in use do not give sufficient space for the insertion

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insertion of all the particulars as to a prisoner's sentence in the proper place. It is desirable to reprint the forms so as to leave sufficient space for the purpose.

(Signed) T.Thumby Chetty
For Secretary to Government.

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No. 331-2 / 7.14 Office of the Inspr. Genl. of Prisons in Mysore,
Dated Bangalore, 5th March 1907.

Copy forwarded to Dr. P.S.Achyuta Rao for information.

For Inspector General of

T.C.G.